CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

Febraury 7, 2013 Agenda Item 2

SUBJECT: Mariner's Pointe - (PA2010-114)

100 – 300 West Coast Highway

Substantial Conformance Review

APPLICANT: VBAS Corporation

PLANNER: Jaime Murillo, Associate Planner

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PROJECT SUMMARY

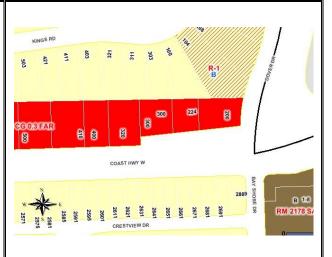
On August 9, 2011, the City Council approved the Mariner's Pointe project, a 19,905-square-foot commercial building and a three-level parking structure. On June 7, 2012, the Planning Commission approved the final architectural and landscaping plans for the project. The project is under construction; however, the applicant proposes revisions to the approved building design. The revisions include: 1) changing the stone veneer exterior of a wall with awnings and commercial display boxes; 2) reducing the height of a stair/elevator tower; and 3) landscaping between the building and West Coast Highway.

RECOMMENDATION

- 1) Conduct a public meeting; and
- 2) Adopt Resolution No. ____ (Attachment No. PC1) finding the changes in the design to be in substantial conformance with the project design approved by Site Development Review No. SR2010-001 and Conditional Use Permit No. UP2010-024.







LOCATION	GENERAL PLAN	ZONING	CURRENT USE	
ON-SITE	General Commercial (CG)	Commercial General (CG)	Commercial building (under construction)	
NORTH	Single Unit Residential Detached (RS-D)	Single Unit Residential (R1)	Single-unit residential dwellings	
SOUTH	RS-D	R1	Single-unit residential dwellings	
EAST	Recreational and Marine Commercial (CM)	Castaways Marina Planned Community (PC- 37)	Construction staging	
WEST	CG	CG	Commercial retail buildings	

INTRODUCTION

Background

On August 9, 2011, the City Council approved the Mariner's Pointe project, a 19,905-square-foot commercial building and a three-level parking structure on a 0.76-acre site located at the northwest corner of the intersection of West Coast Highway and Dover Drive. The exact tenant mix was unknown at the time of approval; however, it was anticipated two large restaurants (9,557 square feet) would serve as anchor tenants, with the remaining square footage to be used for retail (8,651 square feet) and medical office uses (1,697 square feet). The project included the approval of the following applications: a General Plan amendment; Zoning Code amendment; site development review; conditional use permit; variance; parcel map; and traffic study. City Council Resolution No. 2011-86, including conditions of approval, is included as Attachment PC2.

Pursuant to Condition Nos. 4 and 20, the applicant was required to submit final architectural and landscaping plans for review and approval by the Planning Commission to ensure the high level of architectural detail and landscape improvements are incorporated into the final construction drawings. The Planning Commission reviewed and approved the final architectural and landscaping plans on June 7, 2012. Planning Commission Resolution No. 2012-1878, is included as Attachment PC3 and the hearing minutes are included as Attachment PC4. Colored renderings of the final approved elevations are included as Attachment No. PC5.

Shoring wall permits were issued for the project on June 6, 2012, and building permits were issued for the construction of the parking structure and commercial building on October 19, 2012.

DISCUSSION

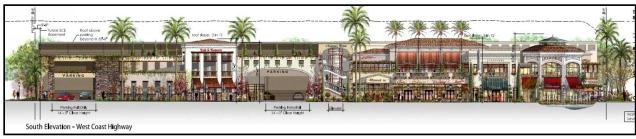
Pursuant to Condition of Approval No. 1 of City Council Resolution No. 2011-86, project design changes shall be in substantial conformance with the approved plans. In addition, pursuant to Condition of Approval Nos. 4 and 20, any substantial changes to the approved final architectural and landscaping plans shall require approval by the Planning Commission. The applicant has proposed a number of revisions to the approved architectural and landscape plans, some of which staff believes to be significant changes warranting further review by the Planning Commission.

Affected sheets from the approved final architectural plans are included as Attachment No. PC6 for reference and the proposed architectural revisions are included as Attachment No. PC7. Colored renderings of the proposed revisions are included as Attachment No. PC8. The following discussion summarizes each of these changes in more detail.

Parking Structure Façade

The applicant proposes to modify the architectural treatment of a screen wall located in front of the parking structure ramps on the South Elevation of the project to provide an expanded storefront and retail presence. As approved, the screen wall was to be clad with a stone veneer and series of openings with decorative metal inserts. The stoner veneer is now proposed to be replaced with a smooth-coat plaster finish. A series of openings with decorative metal inserts would be retained along the top of the screen wall; however, the bottom of the screen wall would be improved with four display cases and four awnings to provide the appearance of a retail storefront. These four display cases would be finished in black tile background and enclosed in glass. Initially, the display cases are proposed to be used for flower display by a florist tenant to be located within Suite R-105. However, in the future, this display area could also be used for merchandise display and/or advertising space for other on-site uses.

South Elevation Comparisons



City Council Approved Conceptual Architectural Design - August 9, 2011



Planning Commission Approved Final Architectural Design - June 7, 2012



Proposed Revisions to Architectural Design



Façade Change: Enlarged View

Primary Elevator/Stairwell Tower

An additional change to the South Elevation involves lowering the height of the primary elevator and stairwell tower from 39 feet 4 inches to 35 feet, consistent with the originally approved City Council conceptual plan. The reduction in height was made possible by eliminating elevator and stairwell access within this tower to the third level of the parking structure. The third level of the parking structure is reserved for employee and valet parking of vehicles only. Two additional stairwells would continue to provide access from the third level of the structure to the first and second levels of the commercial building. Disabled parking for employees would continue to be provided on the first and second levels of the parking structure. Staff has no concerns with this change.

Parking Structure Awnings

Along the front edge of the parking structure roof, the applicant is proposing canvas awnings to provide enhanced architectural interest and to complement the other awnings on the building. Staff has no concerns with this change.

Landscaping

The approved landscape plan (Attachment No. PC9) included extensive decorative paving, a 598 square-foot water feature, and approximately 2,460 square feet of planter area that included a variety of plant materials. The plan implements the landscape requirements of the Mariner's Mile Strategic Vision and Design Framework by providing the minimum four-foot-wide planter area with continuous hedge and palm trees.

The applicant is proposing revisions (Attachment No. PC10) to the landscape plan primarily to accommodate access to the proposed display cases and to address Caltrans concerns. Caltrans maintains jurisdiction of the right-of-way along the West Coast Highway frontage and requires the curb and sidewalk be realigned to eliminate

the lane drop at the westerly end of the project frontage. As a result, the new curb alignment now accommodates a dedicated bus turn-out pad, and expanded decorative paving and landscaping in front of the proposed display area and parking structure.

Caltrans has also recently indicated that they would not allow the proposed palms and water feature to be located within their right-of-way along Coast Highway; however, Caltrans has initiated discussions regarding entering into a maintenance agreement with the City and applicant to permit the improvements. Alternatively, the City can accept a partial relinquishment of the right-of-way from Caltrans in order to accommodate the palms and water feature. As a result of these discussions with Caltrans, the total number of palms trees has been reduced from 17 to 15 trees. Thirteen of the palms will remain on the West Coast Highway frontage.

Overall, the revision results in a total of 3,035 square feet of total planter area, which is an addition of approximately 575 square feet. However, it should be noted that 1,312 square feet of the total planter area is located within the West Coast Highway right-of-way. The City's Master Plan of Streets and Highways envisions the widening of West Coast Highway in Mariner's Mile to accommodate six lanes. The possibility of widening the highway in the future could result in the elimination of significant portions of the proposed hardscaping and landscaping improvements located within the right-of-way.

Staff believes the changes would continue to result in a project that is consistent with the intent of the Mariner's Mile Strategic Vision and Design Framework by providing a continuous hedge row and palm tree feature that serves as a unifying design feature that ties the Mariner's Mile corridor together.

Environmental Review

The environmental impacts of the project as a whole were analyzed under the Mitigated Negative Declaration (MND) that was adopted for the project by the City Council on August 9, 2011. The MND was prepared in accordance with the implementing guidelines of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3. With mitigation measures and standard conditions of approval indicated in the Initial Study and set forth in the Mitigation Monitoring and Reporting Program included with the MND, all potential impacts would be mitigated to a less than significant level. The changes to the project are minor in nature and do not constitute substantial changes to the project that would involve new significant environmental effects or result in additional mitigation measures.

Summary

Staff believes that the proposed revisions in building design are consistent with the approval of Site Development Review No. SR2010-004 and Use Permit No. UP2010-024, and can be found in substantial conformance with the approved plans. Furthermore, staff believes that the proposed changes continue to implement the high

level of architectural detail and landscape improvements illustrated in the approved building plans. The reduction in the tower is consistent with originally approved conceptual design by the City Council and will continue to meet all required Building Codes for accessibility and fire protection. The change in architectural treatment and addition of display cases helps to mask the bulk of the parking structure and provide a continued commercial storefront appearance. It should be noted that once the display cases are approved, the City would maintain limited authority to regulate the content of the merchandise or advertising materials; however, size and area of signage would be regulated through a future comprehensive sign program and off-site advertising would be prohibited.

The changes in landscaping would continue to result in a project that is consistent with the intent of the Mariner's Mile Strategic Vision and Design Framework through the maintenance of the minimum number of required palm trees and continuous hedge row. Staff's only reservation is that should West Coast Highway be widened in the future, portions of the proposed improvements located in the right-of-way may be lost.

<u>Alternatives</u>

- 1. Should the Planning Commission be concerned with the significant loss of landscaping should the highway be widened in the future, the Planning Commission may approve the requested changes with the exception of the proposed change to the parking structure façade. By maintaining the stone veneer and eliminating the display cases, landscaping may be preserved on-site in front of the parking structure and would be unaffected by any future highway widening.
- Should the Planning Commission conclude that the final design does not exhibit the high level of architectural detail and landscape improvements illustrated in the approved building design, or conclude that the design changes are not in substantial conformance, the Commission should direct the applicant to make specific revisions needed to comply.

PUBLIC NOTICE

Although this agenda item does not require a public hearing, notice was published in the Daily Pilot, mailed to property owners within 300 feet of the property (excluding roads and waterways) and posted at the site a minimum of 10 days in advance of this meeting consistent with the Municipal Code requirements for public hearings. The item also appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared by:

Submitted by:

Jaime Murillo Associate Planner Brenda Wisneski, AICP, Deputy Director

ATTACHMENTS

PC 1 Draft Resolution of Approval

PC 2 City Council Resolution No. 2011-86

PC 3 Planning Commission Resolution No. 2012-1878

PC 4 June 7, 2012, Planning Commission Minutes

PC 5 June 7, 2012, Colored Renderings of Approved Architectural Plans

PC 6 June 7, 2012, Final Approved Architectural Plans (Affected Sheets)

PC 7 Proposed Revisions to Architectural Plan

PC 8 Colored Renderings of Proposed Revisions

PC 9 June 7, 2012, Final Approved Landscaping Plan

PC 10 Proposed Revisions to Landscape Plan

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Attachment No. PC 1

Draft Resolution of Approval

RESOL	UTION	NO.	

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH FINDING CHANGES IN DESIGN TO BE IN SUBSTANTIAL CONFORMANCE WITH THE DESIGN APPROVED BY SITE DEVELOPMENT REVIEW SR2010-001 AND USE PERMIT NO. UP2010-024 FOR THE MARINER'S POINTE PROJECT LOCATED AT 100-300 WEST COAST HIGHWAY (PA2010-114)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. On August 9, 2011, the City Council adopted Resolution No. 2011-86 approving the Mariner's Pointe project, a 19,905-square-foot commercial building and a three-level parking structure on a 0.76-acre site located 100-300 West Coast Highway, and legally described as Lots 1, 2, 3, 4, 5, and 6 of Tract No. 1210; and
- 2. In compliance with Condition Nos. 4 and 20 of City Council Resolution No. 2011-86, the applicant was required to submit final architectural and landscaping plans for review and approval by the Planning Commission to ensure the high level of architectural detail and landscape improvements are incorporated into the final construction drawings. The Planning Commission reviewed and approved the final architectural and landscaping plans on June 7, 2012.
- 3. On June 7, 2012, the Planning Commission adopted Resolution No. 2012-1878 approving the final architectural and landscaping plans for the project.
- 4. The applicant is requesting review of proposed revisions to the approved building design. The revisions include: 1) changing the stone veneer exterior of a wall with awnings and commercial display boxes; 2) reducing the height of a stair/elevator tower; and 3) landscaping between the building and West Coast Highway; and
- 5. A public meeting was held by the Planning Commission on February 7, 2013, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting; and

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. A Mitigated Negative Declaration (SCH No. No. 2011041038) was prepared for the project in accordance with the implementing guidelines of the California Environmental Quality Act (CEQA). The document was made available for public review and comment during a 30-day review period beginning on April 11, 2011, and ending on May 11, 2011, and subsequently approved by the City Council on August 9, 2011. A

subsequent mitigated negative declaration for the project is not required to be prepared pursuant to CEQA Guidelines Section 15162 because the proposed revisions to project design are minor and do not constitute "substantial changes" to the project that would involve new significant environmental effects or result in additional mitigation measures.

SECTION 3. REQUIRED FINDINGS.

1. The applicant has proposed a number of revisions to the final approved architectural and landscape plans for the project. Pursuant to Condition of Approval No. 1, the project design changes shall be in substantial conformance with the approved plans and pursuant to Condition of Approval Nos. 4 and 20, the Planning Commission may approve changes. The following facts in support of such finding are set forth:

- A. The replacement of the stone veneer on the screen wall located in front of the parking structure ramps on the South Elevation of the project will provide an expanded storefront and stronger retail presence. A series of openings with decorative metal inserts would be retained along the top of the screen wall and four display cases and four awnings to provide the appearance of a retail storefront. These four display cases would be finished in black tile background and enclosed in glass. Initially, the display cases are proposed to be used for flower display by a florist tenant to be located within Suite R-105. However, in the future, this display area could also be used for merchandise display and/or advertising space for other on-site uses.
- B. The reduction in height of the primary elevator and stairwell tower on the south elevation from 39 feet 4 inches to 35 feet is consistent with the originally approved City Council conceptual plan.
- C. The installation of awnings along the front edge of the parking structure roof will provide enhanced architectural interest and complement the other awnings on the building.
- D. The proposed revisions to the landscape plan are necessary to accommodate access to the proposed display cases and to address Caltrans concerns with the curb alignment. Caltrans maintains jurisdiction of the right-of-way along the West Coast Highway frontage and required that the curb and sidewalk be pulled out to eliminate the lane drop at the westerly end of the project frontage. As a result, the new curb alignment now accommodates a dedicated bus turn-out pad, and expanded decorative paving and landscaping in front of the proposed display area and parking structure.
- E. Caltrans has recently indicated that they would not allow the proposed palms and water feature to be located within their right-of-way along Coast Highway; however, Caltrans has initiated discussions regarding entering into a maintenance

agreement with the City and applicant to permit the improvements. Alternatively, the City can accept a partial relinquishment of the right-of-way from Caltrans in order to accommodate the palms and water feature. As a result of these discussions with Caltrans, the total number of palms trees has been reduced from 17 to 13 trees. Eleven of the palms will remain on the West Coast Highway frontage.

F. The landscaping revisions would continue to result in a project that is consistent with the intent of the Mariner's Mile Strategic Vision and Design Framework by providing a hedge and palm tree feature that serves as a unifying design feature that ties the Mariner's Mile corridor together.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- 1. Consistent with Condition Nos. 4 and 20 of City Council Resolution No. 2011-86, the Planning Commission of the City of Newport Beach hereby approves the revisions to the final architectural and landscaping plans for the Mariner's Pointe project and finds said revisions to be in substantial conformance with the project approved by Site Development Review No. SR2010-001 and Use Permit No. UP2010-024.
- This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 7TH DAY OF FEBRUARY, 2013.

AYES:
NOES:
BY:
Michael Toerge, Chairman
BY:
Fred Ameri Secretary

Attachment No. PC 2

Council Resolution No. 2011-86

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH ADOPTING A MITIGATED NEGATIVE DECLARATION, FINDING TRAFFIC STUDY NO. TS2011-001 IN COMPLIANCE WITH THE TRAFFIC PHASING ORDINANCE, APPROVING GENERAL PLAN AMENDMENT NO. GP2010-009, SITE DEVELOPMENT REVIEW NO. SR2010-001, CONDITIONAL USE PERMIT NO. 2010-024, VARIANCE NO. 2010-004, AND PARCEL MAP NO. 2010-008, FOR A COMMERCIAL DEVELOPMENT PROJECT LOCATED AT 100-300 WEST COAST HIGHWAY (PA2010-114)

THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by VBAS Corporation, with respect to properties located at 100-300 West Coast Highway, and legally described as Lots 1, 2, 3, 4, 5, and 6 of Tract No. 1210 requesting approval of a General Plan Amendment (GPA) to accommodate the development of a 23,015-square-foot, two-story commercial building and a three-story parking structure The following applications were requested or required in order to implement the project as proposed:
 - a. An amendment to the Land Use Element of the General Plan to increase the allowable floor area for the project site from 16,518 square feet (0.5 FAR) to a maximum development limit of 23,015 square feet (approx. 0.7 FAR);
 - b. An amendment to the Zoning Map of the Zoning Code to increase the allowable floor area limitation for the project site from 0.3/0.5 FAR to a maximum development limit of 23,015 square feet (approx. 0.7 FAR);
 - A site development review to allow the construction of a 23,015-square-foot, two-story building and a three-story parking structure that will exceed the 31foot base height limit with a maximum height of 40 feet;
 - d. A conditional use permit to allow for the construction of a parking structure adjacent to a residential zoning district, to modify the off-street parking requirements, allow for the use of off-site parking, and to establish a parking management plan for the site;
 - e. A variance to allow the commercial building and parking structure to encroach five feet into the five-foot rear yard setback;
 - f. A parcel map to consolidate six lots into one parcel; and
 - g. A traffic study pursuant to the City's Traffic Phasing Ordinance.

- The subject property is located within the Commercial General (CG) Zoning District and the General Plan Land Use Element category is Commercial General (CG).
- The subject property is not located within the coastal zone.
- 4. A public hearing was held by the Planning Commission on June 23, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.
- 5. At the June 23, 2011, Planning Commission hearing, the Planning Commission voted unanimously to deny the project without prejudice.
- On July 1, 2011, the Planning Commission's decision to deny the applicant's request was appealed by City Councilmember Edward Selich. The appeal was filed to allow the City Council an opportunity to review the project since the project sits at the western entry into the Mariner's Mile corridor, which is an area the City is trying to revitalize given the poor condition of the properties.
- 7. Due to the concerns expressed by the community and the Planning Commission at the June 23, 2011, Planning Commission hearing, the applicant modified the application request by reducing the project gross floor area from 23,015 square feet (approx 0.7 FAR) to 19,905 square feet (approx. 0.6 FAR), increased on-site parking supplies, and eliminating the need for off-site parking.
- 8. A public hearing was held by the City Council on August 9, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the City Council at this meeting.
- Pursuant to Section 20.64.030.C, the public hearing was conducted "de novo," meaning that it was a new hearing and the decision being appealed has no force or effect as of the date the call for review was filed.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- An Initial Study and Mitigated Negative Declaration have been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3.
- 2. The draft Mitigated Negative Declaration was circulated for a 30-day comment period beginning on April 11, 2011 and ending on May 11, 2011. The contents of the environmental document and comments on the document were considered by the City Council in its review of the proposed project.

- 3. On the basis of the entire environmental review record, the proposed project, with mitigation measures, will have a less than significant impact upon the environment and there are no known substantial adverse affects on human beings that would be caused. Additionally, there are no long-term environmental goals that would be compromised by the project, nor cumulative impacts anticipated in connection with the project. The mitigation measures identified and incorporated in the Mitigation Monitoring and Reporting Program are feasible and will reduce the potential environmental impacts to a less than significant level.
- The modifications proposed by the applicant do not constitute "substantial revisions" that would warrant recirculation of the MND pursuant to CEQA Guidelines Section 15073.5.
- 5. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached as Exhibit A is hereby adopted. The document and all material, which constitute the record upon which this decision was based, are on file with the Planning Department, City Hall, 3300 Newport Boulevard, Newport Beach, California.
- 6. The City Council finds that judicial challenges to the City's CEQA determinations and approvals of land use projects are costly and time consuming. In addition, project opponents often seek an award of attorneys' fees in such challenges. As project applicants are the primary beneficiaries of such approvals, it is appropriate that such applicants should bear the expense of defending against any such judicial challenge, and bear the responsibility for any costs, attorneys' fees, and damages which may be awarded to a successful challenger.

SECTION 3. REQUIRED FINDINGS.

- The project site is located within the Mariner's Mile commercial corridor. The Land Use Element of the General Plan designates the site General Commercial (CG), which is intended to provide for a wide variety of commercial activities primarily oriented to serve citywide or regional needs. The proposed commercial building is consistent with this designation.
- 2. General Plan Policy LU 3.2 encourages the enhancement of existing neighborhoods, districts, and corridors, by allowing for re-use and infill with uses that are complementary in type, form, scale, and character. The policy states that changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.

The proposed GPA and companion Code Amendment for increased intensity is consistent with General Plan Policy LU 3.2 as follows:

- a. The General Plan recognizes the Mariner's Mile corridor as a location that needs revitalization.
- b. The increased intensity would provide an economic stimulus needed to accommodate the redevelopment of six lots into one commercial development.
- c. As stated in the General Plan, Newport Beach residents desire high quality development and have identified the Mariner's Mile corridor is an area that needs revitalization.
- d. Redevelopment of the subject property helps implement the goal of revitalizing the corridor and may encourage the redevelopment of other underperforming properties within the Mariner's Mile corridor. The project's high quality and distinctive architectural features, such as the corner tower element and cupola, will serve as a focal point and anchor into the entry into the Mariner's Mile corridor. In addition, the project's landscaping and water feature within the public right-of-way will significantly improve the streetscape in the corridor.
- e. The traffic impact analysis that was prepared for the project found that the addition of project-related traffic would not have a significant impact at any of the study intersections.
- f. The project site is served by existing infrastructure and public services. The proposed increase in intensity will not necessitate any expansion of existing infrastructure. The project will extend the transition area from three lanes to two lanes (lane drop extension) on West Coast Highway, which will improve safety of westbound traffic and improve access to the site. The removal of the three existing power poles and undergrounding of the power lines will provide a public benefit.
- 3. Charter Section 423 requires that all proposed General Plan Amendments be reviewed to determine if the square footage (for non-residential projects), peak hour vehicle trip, or dwelling units thresholds would be exceeded as the means to determine whether a vote by the electorate would be required to approve the General Plan Amendment. Pursuant to Council Policy A-18, voter approval is not required as the proposed General Plan Amendment represents a cumulative increase (including prior amendments) of 3,387 square feet and an increase of 10.16 a.m. and 13.55 p.m. peak hour trips. Therefore, the project and prior amendments do not cumulatively exceed Charter Section 423 thresholds as to require a vote of the electorate
- 4. Municipal Code Chapter 15.40 (Traffic Phasing Ordinance, or TPO) requires that a traffic study be prepared and findings be made before building permits may be approved if a proposed project will generate in excess of 300 average daily trips (ADT). For the purposes of preparing the traffic analysis for this project, the originally

proposed 23,015-square-foot commercial building was assumed to include 12,722 square feet of quality restaurant, 7,293 square feet of specialty retail, and 3,000 square feet of medical office. Combined, this land use mix is forecast to generate 1,292 additional trips per day, including 16 additional a.m. peak hour trips and 70 p.m. peak hour trips. This land use mix yields a higher project trip generation than the actual currently proposed land use mix of 9,557 square feet of restaurant, 8,651 square feet of retail, and 1,697 square feet of medical office and, therefore, the traffic analysis prepared for this project is considered to be a conservative as it overestimates average daily trips. Pursuant to Section 15.04.030.A, the project shall not be approved unless certain findings can be made. The following findings and facts in support of such findings are set forth:

Finding:

A. That a traffic study for the project has been prepared in compliance with this chapter and Appendix A.

Facts in Support of Finding:

A-1. A traffic study, entitled "Mariner's Pointe Traffic Impact Analysis dated February 17, 2011" was prepared by RBF Consulting under the supervision of the City Traffic Engineer pursuant to the TPO and its implementing guidelines. A total of 12 primary intersections in the City were evaluated.

Finding:

B. That based on the eight of the evidence in the administrative record, including the traffic study, one of the findings for approval in subsection (B) can be made:

15.40.030.B.1 Construction of the project will be completed within 60 months of project approval; and

15.40.030.B.1(a) The project will neither cause nor make an unsatisfactory level of traffic service at any impacted intersection.

- B-1. Construction of the project is anticipated to be completed in 2012. If the project is not completed within sixty (60) months of this approval, preparation of a new traffic study will be required.
- B-2. The traffic study indicates that the project will increase traffic on six of the 12 study intersections by one percent (1%) or more during peak hour periods one year after the completion of the project and, therefore, these six intersections require further Intersection Capacity Utilization (ICU) analysis.

- B-3. Utilizing the ICU analysis specified by the TPO, the traffic study determined that the six primary intersections identified will continue to operate at satisfactory levels of service as defined by the Traffic Phasing Ordinance, and no mitigation is required.
- B-4. Based on the weight of the evidence in the administrative record, including the traffic study, the implementation of the proposed project will neither cause nor make worse an unsatisfactory level of traffic service at any impacted primary intersection within the City of Newport Beach.

C. That the project proponent has agreed to make or fund the improvements, or make the contributions, that are necessary to make the findings for approval and to comply with all conditions of approval.

Facts in Support of Finding:

- C-1. Since implementation of the proposed project will neither cause nor make worse an unsatisfactory level of traffic service at any impacted primary intersection within the City of Newport Beach, no improvements or mitigation are necessary.
- 5. The project consists of 19,905 square feet of commercial floor area and requires Site Development Review, and in accordance with Section 20.52.080 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Allowed within the subject zoning district.

Facts in Support of Finding:

A-1. A commercial building with retail, office, and restaurant uses is a permitted use pursuant to Section 20.20.020 of the Zoning Code. The specific restaurants will be required to obtain separate minor or conditional use permits prior to occupying the building.

Finding:

B. Compliance with this Section [20.52.080], the General Plan, this Zoning Code, any applicable specific plan, and other applicable criteria and policies related to the use or structure.

Facts in Support of Finding:

- B-1. The proposed commercial building is consistent with the CG General Plan land use designation and CG zoning district. A General Plan Amendment and Zoning Map Amendment are requested to allow the proposed increase in intensity.
- B-2. As required by the Zoning Code, a variance has been requested to allow for the encroachment into the rear setback.
- Land Use Element Policy LU 6.19.6 requires the implementation of landscape, B-3. signage, lighting, sidewalk, pedestrian crossing, and other amenities consistent with the Mariner's Mile Strategic Vision and Design Framework. Applicable to this project would be the landscape, lighting, and signage recommendations within the framework. Project signage has not yet been developed and will be submitted for a subsequent review. The project implements the landscaping requirements of the framework by providing the minimum four-foot-wide planter area with continuous hedge and palms plantings. With regard to lighting, the lighting has been designed to respect the views from above and to prevent any light spillage beyond the perimeter of the structure and to eliminate any sources of glare to the residents and motorists. The framework also includes architectural objectives that focus on responsible and sensitive design, with an emphasis on roofs and roof elements to respond to views from above. The proposed building has been designed with tiled tower elements and clean flat roofs with all mechanical equipment screened from view within an enclosure. The third level of the parking structure has been designed with a partial solid roof that screens the resident's view of vehicles and lighting.

Finding:

C. The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent developments; and whether the relationship is based on standards of good design.

- C-1. The commercial building is configured in such way to resemble a village of twostory buildings, with various roof heights, connected to parking on each of the two levels.
- C-2. Although the project is requesting an increase in height, the building will not block or significantly obstruct any views of the bay or harbor from the residential homes located on the 40 to 50-foot high hillside above the project site. The residential neighbors will maintain their 180 degree private views, although the cupola feature may project slightly into the view plane toward the Bacl Bay Bridge.

- C-3. The roof of the commercial building has been designed to respect the views of the residences above and consists of a combination of flat and sloped roof lines. Roof-top mechanical equipment would be fully enclosed within an equipment enclosure and would not be visible from the residences above. The enclosure will have louver vents directed away from the residential properties.
- C-4. The rear two-thirds of the parking structure would be enclosed and will screen the view of the parked vehicles and parking structure lighting from the residents located above the hillside. The parking structure roof will also provide an additional sound buffer to the residents above.
- C-5. The mechanical equipment enclosure has been located at the rear of the commercial building to minimize the bulk of the building as viewed from West Coast Highway.

D. The compatibility in terms of bulk, scale, and aesthetic treatment of structures on the site and adjacent developments and public areas.

- D-1. The building and parking structure includes modulated building masses and rooflines and a variation of building materials and colors that would provide visual relief.
- D-2. To break up the bulk and massing of the parking structure as viewed from West Coast Highway, a 1194-square-foot commercial space has been located on the 1st level of the structure, below the ramp, providing a storefront and retail presence in front the of the structure. A tower element will extend this storefront along the face of the structure.
- D-3. The inclusion of architectural elements such as balconies, tower features, awnings, trellises, ornamental windows and railings, and the variation in building elevations and protrusions would also enhance the visual quality of the buildings and street frontage.
- D-4. The project's architectural style, with the use of stone, tile and glass materials, blends in color and form with some development within Mariner's Mile, will provide a high standard of quality for future neighboring development, and complies with the Mariner's Mile Strategic Vision and Design Framework.
- D-5. The tower and cupola feature, the tallest portion of the building, is located at the southeasterly corner of the site, away from the nearest residential and commercial uses. To minimize the bulk of the parking structure as viewed from West Coast Highway, the parking structure roof has been setback 37 feet 5

inches from the front edge of the structure. A trellis runs along the front of the roof to provide increased screening of the parking structure deck as viewed from above and improving the aesthetics of the parking structure as viewed from West Coast Highway. The height of the parking structure along the front façade is 29 feet 4 inches providing a transition to the commercial properties to the west, with the exception of the two tower elements along the front of the parking structure which break up the massing of the parking structure and adds visual interest through a variation in roof heights.

- D-6. The west elevation of the building has been designed with no openings due to its proximity to the side property line and in anticipation that the commercial site to the west may be redeveloped in the future; however, until such time, the west elevation will be visible from motorist traveling south of West Coast Highway. To soften the appearance of this elevation and break up the mass of the parking structure, large green screens would be installed and separated by columns. Architectural detailing has also been added in the form of stoner veneer, columns and boarders around the green screens.
- D-7. The rear elevation of the building and parking structure has also been designed as a flat wall with no openings due to its placement on the rear property line and will range in height from approximately 20 feet to 35 feet from existing grade. However, the homes located on the hillside above are located a minimum of 60 feet away and approximately 40-50 feet above the project's pad elevation with views oriented predominately over the project site towards the bay and harbor, and therefore, will not be significantly impacted by the height and bulk of the structures.

Finding:

E. The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces.

- E-1. The project would eliminate one existing driveway access off Dover Drive and would consolidate four existing driveways along West Coast Highway into two driveways. Therefore, the project minimizes the number of driveways along West Cost Highway, thereby reducing potential conflicts and increasing vehicular safety. The lane drop extension of Coast Highway will also enhance the safety of the highway, while providing safe access from the site, as determined by the City Traffic Engineer.
- E-2. The project proves adequate sight distance at each driveway, as determined by the City Traffic.

- E-3. The proposed parking structure has been designed to accommodate and provide safe access for emergency, delivery, and refuse collections vehicles, as determined by the City Traffic.
- E-4. The project would include enhanced pedestrian walkways that provide access between the various uses and areas within the project site and to the surrounding public sidewalks and uses.
- E-5. The existing bus stop along the project frontage would be relocated and a new designated "Bus Only" area would be created between the two driveways.
- E-6. The project results in a total peak parking demand of 149 spaces, which can be entirely provided on site within the 150-space parking structure without any adjustments in parking requirements. In addition, a shared parking analysis prepared from the project indicates that because of the different peak hours of operation of the assumed mix of tenants, not all of the uses within the project will require their full allotment of parking spaces at the same time. The analysis indicates that the total parking required has two separate peaks: 1) one peak during the early afternoon with a total demand for 122 parking spaces at 1:00 p.m.; and 2) a second peak in the early evening with a total demand of 141 parking spaces at 6:00 p.m. Therefore, the project provides a surplus of one parking space based on Code requirements and nine spaces based on the shared parking analysis.
- F. The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials.

- F-1. The project includes the enhanced use of landscaping, including a variation of ornamental groundcover, vines, shrubs, and trees, to help soften and buffer the massing of the parking structure and commercial building from the surrounding areas and roadways.
- F-2. A new water feature design would encompass the southeast corner of the project site.
- F-3. The landscape plan includes the requirements of the Mariner's Mile Strategic Vision and Design Framework, but also incorporates non-invasive and water conserving plant types.
- F-4. The project is subject to the City's Water Efficient Landscape Ordinance (Chapter 14.17 of NBMC).

G. The protection of significant views from public right(s)-of-way and compliance with Section 20.30.100 (Public View Protection).

Facts in Support of Finding:

G-1. The portion of West Coast Highway, on which the project is located, is not a designated coastal view road and is not considered a public view corridor requiring public view protection.

Finding:

H. Not detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed development.

- H-1. The project has been conditioned to ensure that potential conflicts with surrounding land uses are minimized to the extent possible to maintain a healthy environment for both businesses and residents.
- H-2. The project's refuse area is located within the first level of the parking garage and will not result in odor impacts to residents above or noise associated with refuse collection.
- H-3. To minimize or eliminate odors associated with the restaurant uses impacting the residents above the site, the project has been conditioned to require the installation of Pollution Control Units with odor eliminators that take the exhaust from the hoods in the kitchens and filter it for particulates and odor.
- H-4. Any illumination of the proposed tower and cupola feature has been conditioned to consist of soft accent lighting so as not to become a visual disturbance to the views of the adjacent residents.
- H-5. The project is subject to the City's Outdoor Lighting requirements contained with Section 20.30.070 of the Zoning Code.
- H-6. The proposed 750-square-foot outdoor dining area located within the public-right-of-away adjacent to Dover will be screened from view of the residents above the hillside and is not anticipated to result in a significant noise disturbance; however, until the specific operation of the restaurants are better known, the project has been conditioned prohibiting this outdoor patio and deferring review until the of the use permit applications for the future restaurant uses are submitted.

6. The project site is located in the Nonresidential, Shoreline Height Limit Area where the height of structures are limited to 26 feet for flat roofs/parapet walls and to 31 feet for sloped roofs with a minimum 3:12 pitch. The height of a structure can be increased up to a maximum of 35 feet for flat roofs/parapet walls and up to 40 feet for sloped roofs, subject to the approval of a Site Development Review. In accordance with Section 20.30.060.C.3 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. The project applicant is providing additional project amenities beyond those that are otherwise required.

- A-1. The most significant amenity the project provides is the long desired redevelopment of this highly visible property that serves as a gateway into the Mariner's Mile corridor. This property is constrained due to its shallow depths and as such has proven difficult to redevelop and as fallen into disrepair. The proposed building exhibits a high level of architectural detail and includes design features that enhance the aesthetics of the building and the area. The most prominent design feature of the building is the octagonal tower and cupola at the southeasterly corner of the site intended to serve as a landmark feature and an anchor into the Mariner's Mile corridor area of the City. The proposed parking structure has been designed to incorporate a variety of materials and features (i.e. stone treatment and hanging vines) and includes vertical recessed openings and a storefront with a vertical tower element to break up the massing and monotony commonly associated with parking structures.
- A-2. The project includes enhanced landscaping of the public right-of-way along the West Coast Highway and Dover Drive. In addition to the continuous hedge and palm trees requirement of the Mariner's Mile Strategic Vision and Design Framework, the landscaping plan incorporates additional ornamental groundcover, vines, shrubs, and trees, to help soften and buffer the massing of the parking structure and commercial building and enhance the streetscape of Mainer's Mile. To further improve the streetscape and improve the entrance into the corridor, the applicant is proposing the installation of 280-square—foot water feature that would encompass the southeast corner of the project site. Water effects are proposed to include a knife-edge water weir falling towards the street at the center, boarded by low walls at each end of the feature. The water feature will also include plant material and a combination or eroded, colored concrete and natural stone.
- A-3. The design and height of the building benefits the residential properties above and to the north by providing noise attenuation from the roadway noise generated from vehicles on West Coast Highway and Dover Drive. As

- illustrated in Figure 14 of the MND, a net decrease in roadway noise of up to 9 dBA CNEL is expected as a result of the noise attenuation effect of the new structures.
- A-4. At minimum, City policy requires the applicant to underground their utilities from the nearest power pole, allowing the power poles to remain in place. In this case, the applicant is proposing to completely remove the power poles and underground the power lines around the eastern, southern, and western perimeter of the project site.
- A-5. Another amenity includes the elimination of the existing driveway access off Dover Drive and the consolidation of the existing four driveways along West Coast Highway into two main access driveways. Therefore, the project minimizes the number of driveways along West Cost Highway, ensuring that the desired traffic flow along this major road is maintained and ensuring that the continuity of the street-facing building elevations would not be interrupted. The extension of the lane drop on West Coast Highway also serves to enhance the safety of the highway by extending the length of the merge lane, which providing safe access from the site

B. The architectural design of the project provides visual interest through the use of light and shadow, recessed planes, vertical elements, and varied roof planes.

- B-1. The goal of the architectural design is to simulate the appearance of a small Mediterranean village of two-story commercial buildings, resulting in modulated building masses and rooflines. The project consists mainly of flat roofs with heights between 29 feet 4 inches and 32 feet 4 inches. Several vertical elements have been included in the design such as the tower features and elevator/stairwell enclosures which range in height from 35 feet to 40 feet. The main elevator and stairwell enclosure has been integrated into the building façade as a prominent architectural feature and creates a transition between the commercial and parking structure components of the project. To break up the bulk and massing of the parking structure as viewed from West Coast Highway, a 1194-square-foot commercial space has been located on the first level of the structure, below the ramp, providing a storefront and retail presence in front the of the structure. A tower element extends this storefront vertically along the face of the structure.
- B-2. The storefronts on both the upper and lower level will be setback from the edge of the balcony along the street elevation, creating light and shadow effects. Light and shadow will also be created through the extensive use of awnings and recessed openings. The massing of the parking structure is also minimized through the use of vertical opening openings along the street frontage.

C. The increased height will not result in undesirable or abrupt scale changes or relationships being created between the proposed structure(s) and existing adjacent developments or public spaces. Where appropriate, the proposed structure(s) provide a gradual transition to taller or shorter structures on abutting properties.

Facts in Support of Finding:

- C-1. The tower and cupola feature, the tallest portion of the building, is located at the southeasterly corner of the site, away from the nearest residential and commercial uses. The height of the project transitions in height from east to west, minimizing the change in scale to the adjacent commercial priorities to the west. With the exception of the tower elements and mechanical equipment enclosure, the height of the commercial building is 32 feet 4 inches. To minimize the visual height and bulk of the parking structure as viewed in perspective from West Coast Highway, the partial parking structure roof cover has been setback 37 feet 5 inches from the front edge of the structure. With the exception of the two 37-foot-high tower features, the resulting height of the parking structure along the front façade is 29 feet, 4 inches providing a transition to the commercial properties to the west as viewed from the highway. Although the adjacent commercial property is currently with one-story commercial buildings, the site has the potential to be redeveloped at heights of 31 feet without discretionary approvals.
- C-2. The homes on the residential lots to the north are situated at the top of the hillside that ranges in height from 40-50 feet above the project's pad elevation. The homes are also located a minimum of 60 feet back from the rear property line. These vertical and horizontal separations between the proposed commercial building and the homes at the top of the slope minimize the impact of the proposed structure heights to the adjacent residences.

Finding:

D. The structure will have no more floor area than could have been achieved without the approval of the height increase.

Facts in Support of Finding:

D-1. The requested increase in floor area does not drive the need for the increased height. The need for the third level of the parking structure is primarily driven by the need to provide parking for the two restaurants that will serve of anchor tenants to the development.

- D-2. Even if the project is designed with only the two restaurants at the currently permitted 0.5 FAR, the third level of parking would be needed to accommodate the 105 parking spaces parking anticipated for the restaurant uses. The height of the parking structure could be reduced from 35 feet to 29 feet 4 inches if the roof cover was removed; however, the roof cover provides a benefit to the residents located above the hillside as it shields parking structure lighting and glare, and buffers vehicle noise.
- D-3. With regard to the height of the commercial building, the need for height is driven by the need to provide desirable12-foot-high ceilings for the retail tenants ensuring that these commercial building will remain marketable to tenants. In order to provide 12-foot-high clear ceilings and accommodate space for mechanical systems and fire sprinklers, a total plate height between 14 feet 6 inches and 17 feet 6 inches is necessary. Plate heights within the project utilize a 14-foot-8-inch dimension. It's also important to note that a majority of the structure will maintain a maximum height of 29 feet 4 inches, with the exception for the tower elements, designed to enhance the architecture of the building, and elevator/stairwell enclosures and mechanical equipment enclosure.
- 7. Pursuant to Sections 20.40.070.B.3 and 20.40.110.B.2 of the Zoning Code, a conditional use permit is required to allow for the construction of a parking structure adjacent to a residential zoning district and to establish a parking management plan. In accordance with Section 20.52.020.F of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

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A. The use is consistent with the General Plan and any applicable specific plan.

Facts in Support of Finding:

A-1. The commercial building and related uses are consistent with CG General Plan land use designation. The parking structure is considered an accessory use that supports of the commercial uses. Parking structures and the use of valet are commonly associated with restaurant development and compatible with the other commercial uses located in Mariner's Mile.

Finding:

B. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.

Facts in Support of Finding:

B-1. The commercial building and related uses are consistent with CG zoning district. The parking structure is considered an accessory use that supports of the commercial uses. Parking structures located adjacent to residential districts

requires review and approval of a conditional use permit to minimize impacts to the residential uses.

Finding:

C. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.

Facts in Support of Finding:

C-1. The parking structure is proposed to be located at the base of the hillside adjacent to a residential district, where the neighboring residential properties are located along the top of the hillside approximately 40-50 feet above the project's pad elevation. The height of the covered portion of the parking structure is 35 feet at the rear of the property directly adjacent to the residential district. The residential dwellings will remain approximately 22 feet higher in elevation than the surface of the third level parking deck (25 feet, 10 inches) and 12 feet, 6 inches higher in elevation than the top of the parking structure roof. The closest residential dwelling is located approximately 60 feet from the rear property line. These vertical and horizontal separations between the proposed commercial building and the homes provide adequate distance so that the mass and bulk of the parking structure should not negatively impact residents. The rear two-thirds of the parking structure would be enclosed and will screen the view of the parked vehicles and parking structure lighting from the residents located above the hillside. The parking structure roof will also provide an additional sound buffer to the residents above

Finding:

D. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.

- D-1. The project results in a total peak parking demand of 149 spaces, which can now be entirely provided on site within the 150-space parking structure without any adjustments in parking requirements. The applicant's Parking Operational Plan should ensure that employees and patrons are able to park on site.
- D-2. The Parking Operational Plan has been reviewed and approved by the City's Traffic Engineer. Also the Traffic Engineer and Fire Department have reviewed the parking lot design and have determined that the parking lot design will function safely and will not prevent emergency vehicle access to the establishment. Given the design constraints with providing parking in compliance with City standards on such a shallow lot, the proposed parking management plan is a reasonable solution.

E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

- E-1. Parking structures have the potential to generate noise, such as car-alarms, car horns, car audio systems, people talking, vehicle pass-bys, and engine idling, which have the potential to disturb the adjacent residences. These individual noise sources last for short durations and their occurrences are infrequent: however, they can annoy neighbors. A noise analysis was prepared by The Planning Center as part of the MND to analyze the potential noise impacts associated with the previously proposed uncovered parking structure to the adjacent residents using sound modeling. The analysis concludes that the noise generated from vehicles and service trucks within the first and second level of the structure will be attenuated given that those levels are enclosed. With regard the uncovered third level, the analysis indicates that during the daytime, traffic noise from West Coast Highway and Dover Drive would be audible over the noise generated from the third level. In the evening, noise generated from the third level would be less than the City's 45 dBL Leg exterior noise standard at the residences. In addition, the third level of the parking structure will be reserved for employee and valet parking only, avoiding potential noise disturbances that may be associated with patrons loitering in the parking area after hours. Although noise from the third level of the parking structure is not anticipated to violate the Community Noise Ordinance standards, the applicant has since proposed to partially enclose and cover the rear two-thirds of the parking structure. This roof will have the effect of further attenuating noise generated from vehicles on the third level of the parking structure.
- E-2. The rear two-thirds of the upper parking level will be covered and will shield illumination of the parking structure from view of the resident's above. To illuminate the uncovered portion of the parking structure, light fixtures would be recessed into the southerly and westerly walls with very low light output and shields to eliminate glare from views above. In addition, the project has been conditioned to require a nighttime light inspection to confirm there are no light and glare impacts.
- E-3. The project has been conditioned to require a nighttime light inspection to confirm there are no light and glare impacts.

8. The proposed project encroaches five feet into the rear five-foot-setback adjacent to the residential lots to the north. In accordance with Section 20.52.090 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. There are special or unique circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification.

Facts in Support of Finding:

- A-1. The subject property is wide (approx. 340 feet) and shallow (approx. 90 feet avg.). Although many of the lots along the inland side of the Mariner's Mile corridor consist of shallow lots, this property in particular is especially shallow given the acquisition of the property frontage in 1979 to accommodate the Bay Bridge realignment project. The realignment reduced the property depth approximately 27 feet on the westerly end and 47 feet on the easterly end of the property.
- A-2. The subject property is approximately 25 feet shallower than the adjacent properties to the west. The 60 lots on the inland side of West Coast Highway and located between the intersection of Dover Drive and the westerly boundary the Balboa Bay Club are the shallowest commercial lots within Marine's Mile corridor area. Of these 60 lots, only four lots have lot depths less than 100 feet (96.47 at its shallowest end). Over half of these lots consist of lot depths greater than 140 feet. The average lot depth of these 60 lots is approx. 120 feet.

Finding:

B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification.

- B-1. The reduced lot depths do not accommodate an optimal commercial center site configuration. To design an optimal commercial building, the commercial square footage has been consolidated on the eastern portion of the site as a two-level design in order to accommodate the required on-site parking on the western portion of the site where the lot depth is greater.
- B-2. Due to the shallow lot depths, strict compliance with the rear 5-foot setback would result in a parking structure design that would be substandard to the minimum parking aisle and parking stall requirements resulting in a potentially

hazardous and difficult to access parking structure. Alternatively, the elimination of 49 spaces would be required to accommodate a parking structure that conforms both to setbacks and parking standards, depriving the property owner of the privilege of constructing a parking structure that could be constructed on the other 54 neighboring lots that have deeper lot dimensions.

Finding:

C. Granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.

Facts in Support of Finding:

C-1. The reduced lot depths do not accommodate an optimal commercial center site configuration and in order to maintain a substantial property right of developing the site for commercial use, the elimination of the rear yard setback is required to allow for the development of a parking structure that complies with City standards for vehicular access and parking. The parking structure has been located on the western portion of the site where the lots depths are greater and the commercial building has been located on the eastern half of the site where is the lot depth is narrowest (approx. 85 feet). Without the granting of the variance, the development of a commercial retail building with adequate on-site parking would not be feasible on this wide and shallow site.

Finding:

D. Granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district.

Facts in Support of Finding:

D-1. Granting of the variance would not constitute a special privilege inconsistent with the limitations upon other properties in the Mariner's Mile corridor as it allows the applicant the ability to develop an optimal commercial center with adequate parking on site as could be developed on adjacent lots with greater lots depths.

Finding:

E. Granting of the Variance will not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Facts in Support of Finding:

- E-1. Four residential lots abut the project's rear property line; however, these residential properties are located up the hillside approximately 40-50 feet above the project's pad elevation. In addition, the closest residential dwelling is located approximately 60 feet from the rear property line. These vertical and horizontal separations between the proposed commercial building and the homes provide adequate buffer equivalent to or superior to a five-foot rear setback.
- E-2. The five-foot encroachment will not result in a condition where the commercial development will endanger or create a hazard to those persons residing in the dwellings above. In addition, the hillside is heavily landscaped and the applicant has agreed to work with adjacent residential property owners to further landscape the slope to provide increased landscaped screening of the rear of the project.
- E-3. The development includes cutting into the toe of the slope; however, the preliminary geotechnical report indicates that the design and construction of the retaining wall is feasible, subject to the recommendations within the report and in compliance with Building and Grading Codes, and will not undermine the stability of the hillside.

Finding:

F. Granting of the Variance will not be in conflict with the intent and purpose of this Section, this Zoning Code, the General Plan, or any applicable specific plan).

- F-1. Typically commercially zoned properties are not required to maintain rear setbacks, except when located adjacent to residentially zoned properties. The intent is to provide separation for light, air, and open space adjacent to these residential properties. In this case, four residential lots abut the project's rear property line; however, the houses are located on the hillside approximately 40-50 feet above the project's pad elevation. The closest residential dwelling is located approximately 60 feet from the rear property line. These vertical and horizontal separations between the proposed commercial building and the homes provide adequate buffer equivalent to or superior to a five-foot rear setback. Therefore, the five-foot encroachment will not deprive the adjacent residential properties form the adequate enjoyment of light, air, and open space.
- 9. The property consists of six legal lots, which the applicant is proposing to consolidate into one unified site. The merger of five or more lots requires the approval of a parcel map. In accordance with Section 19.12.060 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

- A-1. The project is consistent with the CG General Plan designation of the site.
- A-2. The Public Works Department has reviewed the proposed tentative map and believes it is consistent with the Newport Beach Subdivision Code (Title 19) and applicable requirements of the Subdivision Map Act.
- A-3. The proposed project accommodates the potential future widening of Coast Highway and all utility lines will be undergrounded.
- A-4. Conditions of approval have been included to ensure compliance with Title 19.

Finding:

B. That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

- B-1. The existing site is entirely developed and does not support any environmental resources.
- B-2. Portions of the development require cuts into the slope on the northern portion of the site. The geologic investigation revealed that the portions of this slope which are not improved by the proposed development may be surficially unstable; however, mitigation measures have been incorporated, as recommended by the site-specific geotechnical investigation that will reduce impacts to a less than significant level.
- B-3. The subject site is located at the intersection of West Coast Highway and Dover Drive and serves as the gateway into the Mariner's Mile commercial corridor of the City. Given its location, this site is ideal for the development of a commercial building.
- B-4. The subject parcel map allows for the consolidation of six shallow lots into one unified site large enough to accommodate a viable commercial development.

Finding:

C. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or

wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

C-1. A Mitigated Negative Declaration has been prepared and concludes that no significant environmental impacts will result with proposed development of the site in accordance with the proposed subdivision map.

Finding:

D. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Facts in Support of Finding:

- D-1. The proposed Parcel Map is for the consolidations of six existing commercial lot into one commercial development site. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 of the Municipal Code and Section 66411 of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.
- D-2. All mitigation measures will be implemented as outlined in the Mitigated Negative Declaration to ensure the protection of the public health.
- D-3. No evidence is known to exist that would indicate that the planned subdivision pattern will generate any serious public health problems.

Finding:

E. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to easements previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

- E-1. The design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development as there are no public easements that are located on the property.
- E-2. An easement through the site will be retained by the City to sewer and utilities purposes.
- E-3. No other public easements for access through or use of the property have been retained for use by the public at large.

Finding:

F. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

F-1. The property is not subject to the Williamson Act since the subject property is not considered an agricultural preserve and is less than 100 acres.

Finding:

G. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (a) there is an adopted specific plan for the area to be included within the land project; and (b) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

- G-1. The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code.
- G-2. The project is not located within a specific plan area.

Finding:

H. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Facts in Support of Finding:

G-1. The proposed Parcel Map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Department enforces Title 24 compliance through the plan check and inspection process.

Finding:

I. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

Facts in Support of Finding:

- I-1. The proposed Parcel Map is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need. The project does not involve the elimination of residential units and therefore will not affect the City's ability to meet it share of housing needs.
- I-2. Public services are available to serve the proposed development of the site and the Mitigated Negative Declaration prepared for the project indicates that the project's potential environmental impacts are expected to be less than significant.

Finding:

J. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

Facts in Support of Finding:

J-1. Waste discharge into the existing sewer system will be consistent with the existing commercial use of the property and does not violate Regional Water Quality Control Board (RWQCB) requirements. J-2. Sewer connections have been conditioned to be installed per City Standards, the applicable provisions of Chapter 14.24 (Sewer Connection, Permits), and the latest revision of the Uniform Plumbing Code.

Finding:

K. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.

Facts in Support of Finding:

- K-1. The subject property is not located in the Coastal Zone.
- K-2. The subject property does not have access to any beaches, shoreline, coastal waters, tidelands, coastal parks or trails.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- The City Council of the City of Newport Beach does hereby find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis. The City Council adopts Mitigated Negative Declaration, including the Mitigation Monitoring and Reporting Program attached as Exhibit "A". The document and all material, which constitute the record upon which this decision was based, are on file with the Planning Department, City Hall, 3300 Newport Boulevard, Newport Beach, California.
- The City Council of the City of Newport Beach does hereby approve General Plan Amendment No. GP2010-009. Table LU2 and Figure LU9 of the Land Use Element of the General Plan shall be amended as provided in Exhibit "B".
- The City Council determines that the Project complies with the Traffic Phasing Ordinance, based on the weight of the evidence in the administrative record, including Traffic Study No. TS2011-001.
- 4. The City Council of the City of Newport Beach does hereby approve Site Development Review No. SR2010-001, Conditional Use Permit No. 2010-024, Variance No. 2010-004, and Parcel Map No. 2010-008, subject to the conditions set forth in Exhibit C.
- This resolution shall take effect immediately upon adoption.

- This approval was based on the particulars of the individual case and does not in and
 of itself or in combination with other approvals in the vicinity or Citywide constitute a
 precedent for future approvals or decisions.
- 7. This resolution was approved, passed and adopted at a regular meeting of the City Council of the City of Newport Beach, held on the 9th day of August, 2011.

MAYOR

ATTEST:

CITY CLERK



EXHIBIT "A"

MARINER'S POINTE PROJECT MITIGATION MONITORING PROGRAM (SCH# 2011041038) CITY OF NEWPORT BEACH Phase of Responsible Completion

		Phase of	Responsible	Completion
Mitigation Me	asure	Implementation	Monitoring Party	Date/Initials
Biological Resources				
 The construction contractor the Migratory Bird Treaty Ad construction contractor shall following: 	ot of 1918. The	During construction	City of Newport Beach Community Development Department	
 Avoid grading activities season, February 14 to 				
If grading activities are during the nesting seas nesting birds shall be or qualified biologist prior three days prior to come grading activities. If nest in trees to be removed, postponed until the fleet the nest or the biologist that the nest has failed biologist shall establish buffer zone where constant occur until the fleet the nest or the biologist that the nest has failed detected in trees being biologist shall establish buffer zone where constant occur until the fleet the nest or the biologist that the nest or the biologist that the nest or the biologist that the nest has failed the nest or the biologist that the nest has failed.	son, a site survey for conducted by a to no more than mencement of sting birds are found removal shall be lightly be an appropriate struction activity may lings have vacated thas determined. If nesting birds are preserved, the an appropriate struction activity may lings have vacated thas determined appropriate struction activity may lings have vacated thas determined thas determined			
Cultural Resources				
2. The project applicant shall harchaeologist conduct a Phinvestigation and a Phase II warranted by the Phase II sinvestigation, including trenof any resources found, shabefore issuance of a grading of Newport Beach. A Phase testing program consists of investigation designed to exof the subsurface deposits, enough to draw a conclusion of the site (assuming the site intact features of an archae hearths, living surfaces, or a discovered in the course of investigation, then the projection in the projection in the projection in the course of investigation, then the projection in the course of investigation, then the projection in the course of investigation, then the projection in the course of investigation.	ase II archaeological II investigated if tudy. The Phase II ching and analysis all be completed g permit by the City II archaeological a control subsurface tract a small sample but a sample large n on the significance e is present). If ological site, such as middens, are the Phase II	Prior to issuance of grading permit	City of Newport Beach Community Development Department	
 Conduct a feasibility in preserve in place, any archaeological resource Feasibility can be base to whether the significal 	significant e that is discovered. d on but not limited			

Mitigation Measure	Phase of Implementation	Responsible Monitoring Party	Completion Date/Initials
resource is beneath open space that can incorporate preservation in place. If preservation in place is feasible, such preservation shall be documented with the City's Planning Division, and no further mitigation is necessary;	Implementation	Monitoring Party	Date/initials
• If preservation in place is not feasible, the applicant's archaeologist shall conduct a Phase III investigation prior to the issuance of a grading permit. A Phase III consists of extracting a larger sample of the site materials to document the function, age, and components of the site, allowing for interpretation and comparative analysis with respect to the larger area (e.g., occupation within the Newport Bay area). The City's Planning Division shall approve the report and related actions prior to grading permit issuance.			
3. The Project Applicant shall have a qualified professional archaeologist onsite to monitor for any potential impacts to archaeological or historic resources throughout the duration of any ground disturbing activities. The professional archaeologist shall have the authority to halt any activities adversely impacting potentially significant cultural resources until the resources can be formally evaluated. The archaeologist must have knowledge of both prehistoric and historical archaeology. Additionally, the archaeological monitoring program shall include the presence of a local Native American representative (Gabrielino and/or Juaneno). Resources must be recovered, analyzed in accordance with CEQA guidelines, and curated. Suspension of ground disturbance in the vicinity of the discoveries shall not be lifted until the archaeologist has evaluated discoveries to assess whether they are classified as historical resources or unique archaeological sites, pursuant to CEQA.	During construction	City of Newport Beach Community Development Department	
4. The Project Applicant shall retain a qualified professional paleontologist to monitor for any potential impacts to paleontological resources throughout the duration of ground disturbing activities. In the event paleontological resources are uncovered, the professional paleontologist shall have the authority to halt any activities adversely impacting potentially significant fossil resources until the resources can be formally evaluated. If potentially significant fossils are uncovered they must be recovered, analyzed in accordance with CEQA guidelines, and curated at facilities at the Natural History Museum of Los Angeles County, or other scientific institution accredited for curation and collection of fossil specimens. Suspension of ground disturbances in the vicinity of the discoveries	During construction	City of Newport Beach Community Development Department	

Mitigation Measure	Phase of Implementation	Responsible Monitoring Party	Completion Date/Initials
shall not be lifted until the paleontologist has evaluated the significance of the resources pursuant to CEQA.			
Geology and Soils			
5. Prior to issuance of grading permits, a detailed engineering-level geotechnical investigation report shall be prepared and submitted with engineered grading plans to further evaluate expansive soils, soil corrosivity, slope stability, landslide potential, settlement, foundations, grading constraints, and other soil engineering design conditions and to provide site-specific recommendations to address these conditions, if determined necessary. The engineering-level report shall include and address each of the recommendations included in the geotechnical reports prepared by MACTEC (2010a and 2010b) and included as Appendix E. The geotechnical reports shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. Geotechnical rough grading plan review reports shall be prepared in accordance with the City of Newport Beach Grading Ordinance.	Prior to issuance of grading permit	City of Newport Beach Community Development Department	
Noise			
 The contractor shall properly maintain and tune all construction equipment in accordance with the manufacturer's recommendations to minimize noise emissions. 	During construction	City of Newport Beach Community Development Department	
7. Prior to use of any construction equipment, the contractor shall ensure that all equipment is fitted with properly operating mufflers, air intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.	During construction	City of Newport Beach Community Development Department	
8. The construction contractor shall locate stationary noise sources (e.g., generators, compressors, staging areas) and material delivery (loading/unloading) areas as far from residences as possible (e.g., eastern portion of the project site).	During construction	City of Newport Beach Community Development Department	
 The construction contractor shall post a sign, clearly visible onsite, with a contact name and telephone number of construction contractor to respond in the event of a noise complaint. 	During construction	City of Newport Beach Community Development Department	
Transportation and Traffic			
10.Prior to issuance of a grading permit, the project will be required to develop a Construction Traffic Management Plan that includes the following elements: Restrict construction worker and equipment delivery trips to occur outside of the weekday AM and PM peak hours.	Prior to issuance of grading permit	City of Newport Beach Public Works Department	
 Identify and establish truck haul routes and restrict haul operations to occur outside of the weekday AM and PM peak hours. 			

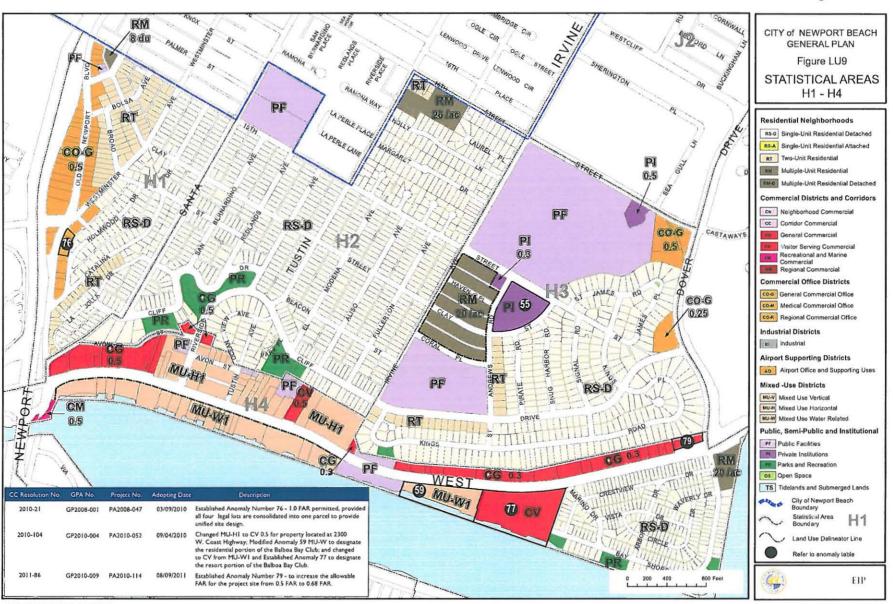
Mitigation Measure	Phase of Implementation	Responsible Monitoring Party	Completion Date/Initials
 Provide Traffic Control Plans for detours and temporary road closures (if necessary) that meet the minimum Caltrans, City, and County criteria. 			
11. The applicant shall contact OCTA and coordinate operation of the Coast-Dover bus stop along the project's West Coast Highway frontage during project construction. Mitigation as required to suspend operation, or modify or temporarily relocate the bus stop during project construction activities shall be negotiated with OCTA. The applicant shall provide the plans/mitigation to the City as negotiated with OCTA for review and approval by the City of Newport Beach's Planning Division and Public Works Department prior to issuance of grading permits. The applicant shall provide OCTA with a minimum 14-day advance notice prior to the start of construction activities by contacting either the Detour Coordinator or Field Operations.	Prior to issuance of grading permit	City of Newport Beach Community Development and Public Works Department	

EXHIBIT "B"

Table LU2 Anomaly Locations Anomaly Statistical Land Use Development							
Number	Area	Designation	Limit (sf)	Development Limit (Other)	Additional Information		
1	L4	MU-H2	460,095	471 Hotel Rooms (not included in total square footage)			
2	L4	MU-H2	1,052,880				
2.1	L4	MU-H2	18,810		11,544 sf restricted to general office use only (included in total square footage)		
3	L4	CO-G	734,641				
4	L4	MU-H2	250,176				
5	L4	MU-H2	32,500				
6	L4	MU-H2	46,044				
7	L4	MU-H2	81,372				
8	L4	MU-H2	442,775				
9	L4	CG	120,000	164 Hotel Rooms (included in total square footage)			
10	L4	MU-H2	31,362	349 Hotel Rooms (not included in total square footage)			
11	L4	CG	11,950				
12	L4	MU-H2	457,880				
13	L4	CO-G	288,264				
14	L4	CO-G/MU-H2	860,884				
15	L4	MU-H2	228,214				
16	L4	CO-G	344,231				
17	L4	MU-H2	33,292	304 Hotel Rooms (not included in total square footage)			
18	L4	CG	225,280	,			
19	L4	CG	228,530				
21	J6	CO-G	687,000		Office: 660,000 sf; Retail: 27,000 sf		
		CV		300 Hotel Rooms			
22	J6	CO-G	70,000		Restaurant: 8000 sf, or Office: 70,000 sf		
23	K2	PR	15,000				
24	L3	IG	89,624				
25	L3	PI	84,585				
26	L3	IG	33,940				
27	L3	IG	86,000				
28	L3	IG	110,600				
29	L3	CG	47,500	1/00			
30	M6	CG	54,000				
31	L2	PR	75,000				
32	L2	PI	34,000				

Table LU2 Anomaly Locations Anomaly Statistical Land Use Development							
Number	Area	Designation	Limit (sf)	Development Limit (Other)	Additional Information		
22	Ma	D.	400.000		Administrative Office and Support Facilitates: 30,000 sf		
33	M3	PI	163,680		Community Mausoleum and Garden Crypts: 121,680 sf		
24	14	00 D	404.040		Family Mausoleums: 12,000 sf		
34	L1 L1	CO-R	484,348				
35		CO-R	199,095				
36	L1	CO-R	227,797	2.050 Theater Costs (not			
37	L1	CO-R	131,201	2,050 Theater Seats (not included in total square footage)			
38	L1	CO-M	443,627				
39	L1	MU-H3	408,084				
40	L1	MU-H3	1,426,634	425 Hotel Rooms (included in total Square Footage)			
41	L1	CO-R	327,671				
42	L1	CO-R	286,166				
43	L1	CV		611 Hotel Rooms			
44	L1	CR	1,619,525	1,700 Theater Seats (not included in total square footage)			
45	L1	CO-G	162,364				
46	L1	MU-H3/PR	3,725	24 Tennis Courts	Residential permitted in accordance with MU-H3.		
47	L1	CG	105,000				
48	L1	MU-H3	337,261				
49	L1	PI	45,208	\$2.00			
50	L1	CG	25,000				
51	K1	PR	20,000				
52	K1	CV		479 Hotel Rooms			
53	K1	PR	567,500		See Settlement Agreement		
54	J1	CM	2,000				
55	НЗ	PI	119,440				
56	А3	PI	1,343,238	990,349 sf Upper Campus 577,889 sf Lower Campus	In no event shall the total combined gross floor area of both campuses exceed the development limit of 1,343,238 sq. ft.		
57	Intentional	ly Blank					
58	J5	PR	20,000				
59	H4	MU-W1	247,402	144 Dwelling Units (included in total square footage)			
60	N	CV	2,660,000	2,150 Hotel Rooms (included in total square footage)			
61	N	CV	125,000				
62	L2	CG	2,300				

Anomaly Number	Statistical Area	Land Use Designation	Development Limit (sf)	Development Limit (Other)	Additional Information
63	G1	CN	66,000		
64	М3	CN	74,000		
65	M5	CN	80,000		
66	J2	CN	138,500		
67	D2	PI	20,000		
68	L3	PI	71,150		
69	K2	CN	75,000		
70	D2	RM-D			Parking Structure for Bay Island (No Residential Units)
71	L1	CO-G	11,630		
72	L1	CO-G	8,000		
73	A3	CO-M	350,000		
74	L1	PR	35,000		
75	L1	PF			City Hall, and the administrative offices of the City of Newport Beach and related parking, pursuant to Section 425 of the City Charter.
76	H1	CO-G		0.5 FAR	1.0 FAR permitted, provided all four legal lots are consolidated into one parcel to provide unified site design
77	H4	CV	240,000	157 Hotel Rooms (included in total square footage)	
78	B5	CM	139,840		
79	Н4	CG		03./0.5 FAR	Development limit of 19,905 sq. ft permitted, provided all six legal lots are consolidated into one parcel to provide unified site design



LU9_NP_Heights.mxd August/2011

EXHIBIT "C"

CONDITIONS OF APPROVAL (Project-specific conditions are in italics)

PLANNING

- The development shall be in substantial conformance with the approved site plan, floor plans, roof plans, conceptual building elevations, and conceptual landscape plans stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
- Site Development Review No. SR2010-001, Conditional Use Permit No. UP2010-024, and Variance No. 2010-004 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.
- 3. The outdoor patio and block wall proposed to encroach into the Dover Drive public right-of-way shall be eliminated, unless this conditional use permit is amended or a new conditional use permit is approved in conjunction with an eating and drinking establishment that specifically approves the construction of the outdoor patio and an encroachment or lease agreement is approved by the Public Work's Department.
- 4. Prior to the issuance of building permits, the final building elevations and roof plan of the final architectural plans for the commercial building and parking structure shall be reviewed and approved by the Planning Commission to ensure that the high level of architectural detail and treatments illustrated on the approved conceptual plans is implemented and incorporated into the final construction drawings for building permit issuance. The specific colors and materials (including roof colors and materials), window and door specifications, lighting specifications, and any other information deemed relevant by the Community Development Director shall be submitted to the Planning Commission for review and approval. Any substantial changes to the approved final architectural plans shall require approval by the Planning Commission.
- 5. Flat roof portions of the building shall be constructed to meet "cool roofs" standards for energy efficiency; however, the color and material shall not result in glare as viewed from the residents above. No mechanical equipment shall be permitted on the roof, except within the designated mechanical well and shall not be visible from West Coast Highway or the adjacent residential properties.
- 6. Uses shall be permitted, or conditionally permitted, within the project consistent with the provisions of the Zoning Code, so long as they do not increase the approved traffic generation for the project (TS2011-001).

- 7. Required parking for this project has been determined based on documentation and a number of assumptions, including: 1) the shared parking analysis prepared by LSA Associates, Inc., dated July 22, 2011; 2) a limitation that the maximum Net Public Area (NPA) of eating and drinking uses be limited to 5,210 square feet; and 3) the proposed floor area for eating and drinking uses will be occupied by fine dining establishments with very low turnover with a parking demand of 1 space per 50 square feet of NPA. Any changes to the assumed tenant mix or changes in the type of food use that would increase parking demands may require the preparation of a new shared parking analysis to ensure that adequate parking can be provided on site, and shall be subject to the review and approval of the Community Development Department.
- 8. A total of 150 parking spaces shall be provided on site as illustrated on the approved plans and parking management plan for the project.
- The upper level of the parking structure shall only be used for employee or valet parking, unless an amendment to this Conditional Use Permit and new parking management plan is prepared and approved.
- 10. Any minor changes to the parking management plan shall be reviewed and approved by the Community Development Director and City Traffic Engineer prior to implementation. Significant changes may require an amendment to this Conditional Use Permit.
- 11. Should the applicant propose to alter the location and/or number of vehicular access points, or propose to take vehicular access across the adjacent property located at 320 West Coast Highway, such proposal shall be subject to review and approval by the Community Development Director and the City Traffic Engineer.
- 12. Should this business be sold or otherwise come under different ownership, any future owners or assignees shall be notified in writing of the conditions of this approval by the current owner or leasing company.
- 13. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
- 14. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for modification or revocation of Site Development Review No. SR2010-001, Conditional Use Permit No. UP2010-024, and Variance No. 2010-004.
- 15. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
- 16. This Conditional Use Permit, Site Development Review, and Variance may be modified or revoked by the City Council or Planning Commission should they determine that the proposed development, uses, and/ or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or

- improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 17. Hours of operations for the uses within the project shall be limited to between 6:00 a.m. and 11:00 p.m. daily, unless otherwise permitted to maintain different hours of operation pursuant to a subsequent Conditional Use Permit.
- 18. All employees are required to park on site, unless otherwise approved by the Community Development Director, and may require an amendment to this Site Development Review and Conditional Use Permit.
- 19. Any change in operational characteristics, hours of operation, expansion in area, or other modification to the approved plans, shall require an amendment to Site Development Review No. SR2010-001, Conditional Use Permit No. UP2010-024, and/or Variance No. 2010-004 or the processing of new permits.
- 20. Prior to the issuance of building permits, the final landscape and irrigation plan, prepared by a licensed landscape architect, shall be reviewed and approved by the Planning Commission to ensure that the landscaping improvements illustrated on the approved conceptual plan are implemented and incorporated into the final construction drawings for building permit issuance. These plans shall include specifications and details for all hardscape, water features, plant materials, planting sizes (including heights, box size, trunk diameters, etc), and growth characteristics. Any substantial changes to the approved final landscape plan shall require approval by the Planning Commission.
- 21. All landscape materials and landscaped areas shall be installed and maintained in accordance with the final landscape plan approved by the Planning Commission per Condition No. 20, including the proposed water feature. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance. These plans shall incorporate drought tolerant plantings and water efficient irrigation practices, and the plans shall be reviewed by the Municipal Operations Department. All planting areas shall be provided with a permanent underground automatic sprinkler irrigation system of a design suitable for the type and arrangement of the plant materials selected. The irrigation system shall be adjustable based upon either a signal from a satellite or an on-site moisture-sensor. Planting areas adjacent to vehicular activity shall be protected by a continuous concrete curb or similar permanent barrier. Landscaping shall be located so as not to impede vehicular sight distance to the satisfaction of the Traffic Engineer.
- 22. <u>Prior to the final of building permits</u>, the applicant shall schedule an inspection by the Code Enforcement Division to confirm that all landscaping was installed in accordance with the approved plan.
- 23. Reclaimed water shall be used whenever available, assuming it is economically feasible.

- 24. Water leaving the project site due to over-irrigation of landscape shall be minimized. If an incident such as this is reported, a representative from the Code Enforcement Division shall visit the location, investigate, inform and notice the responsible party, and, as appropriate, cite the responsible party and/or shut off the irrigation water.
- 25. Watering shall be done during the early morning or evening hours (between 4:00 p.m. and 9:00 a.m.) to minimize evaporation the following morning.
- 26. All leaks shall be investigated by a representative from the Code Enforcement Division and the property owner or operator shall complete all required repairs.
- 27. Water shall not be used to clean paved surfaces such as sidewalks, driveways, parking areas, etc. except to alleviate immediate safety or sanitation hazards.
- 28. Landscaping and plant selections shall be consistent with the applicable landscaping recommendations set forth by the Mariner's Mile Strategic Vision and Design Framework.
- 29. New utility connections shall be placed underground unless the Public Works Department determines that undergrounding the connection is physically infeasible. Appurtenant and associated utility equipment such as transformers, utility vaults, terminal boxes, meter cabinets shall be placed underground unless the Public Works Department determines that undergrounding the appurtenant and associated equipment is physically infeasible. If appurtenant and associated utility equipment cannot be placed underground, the equipment shall be located in the least visible location practical and screened from public view on-site and off-site by fencing or landscaping to the satisfaction of the Community Development Director.
- 30. The three existing power poles and overhead power lines shall be removed and the power lines shall be underground.
- 31. All ground-mounted equipment including, but not limited to backflow preventers, vents, air handlers, generators, boilers, trash bins, transformers shall be screened from view behind and fully below the top of a screen wall or a solid hedge. Screen walls shall be of same or similar material as adjacent building walls and covered with vines when possible. Chain link fencing with slats is not permitted.
- 32. All mechanical equipment shall be screened from view of adjacent properties and adjacent public streets within the mechanical screening equipment enclosure illustrated on the approved plans, and shall be sound attenuated in accordance with Chapter 10.26 of the Newport Beach Municipal Code, Community Noise Control.
- 33. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

	Between and 10:00	the hours of 7:00AM PM	Between 10:00PM a	the hours of and 7:00AM
Location	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

- 34. No outside paging system shall be utilized in conjunction with this development.
- 35. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
- 36. The operator of the development shall be responsible for the control of noise generated by the subject facility including, but not limited to, noise generated by tenants, patrons, food service operations, and mechanical equipment. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
- 37. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 38. All trash shall be stored within the proposed trash enclosure located within the lower level of the parking structure or other approved enclosure. The trash dumpsters shall have a top, which shall remain closed at all times, except when being loaded or while being collected by the refuse collection agency.
- 39. Food uses shall be required to provide temporary refrigerated trash storage to control odors associated with food wastes, unless otherwise approved by the Community Development Director.
- 40. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment, however, not located on or within any public property or right-of-way.
- 41. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
- 42. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the

- provisions of Title 14, including all future amendments (including Water Quality related requirements).
- 43. To minimize conflict within the parking structure, refuse collection and deliveries for the facility utilizing large vehicles shall be allowed between the hours of 6:00 a.m. and 10:00 a.m., daily, unless otherwise approved by the Community Development Director, and may require an amendment to this Site Development Review and Conditional Use Permit.
- 44. Storage outside of the building or the parking structure shall be prohibited.
- 45. All proposed signs shall be in conformance with the provision of Chapter 20.42 of the Newport Beach Municipal Code and shall be approved by the City Traffic Engineer if located adjacent to the vehicular ingress and egress.
- 46. The final location of the signs shall be reviewed by the City Traffic Engineer and shall conform to City Standard 110-L to ensure that adequate sight distance is provided.
- 47. Lighting shall be in compliance with applicable standards of the Zoning Code. Exterior onsite lighting shall be shielded and confined within site boundaries. No direct rays or glare are permitted to shine onto public streets or adjacent sites or create a public nuisance. "Walpak" type fixtures are not permitted. Parking area lighting shall have zero cut-off fixtures.
- 48. The site shall not be excessively illuminated based on the outdoor lighting standards contained within Section 20.30.070 of the Zoning Code, or, if in the opinion of the Community Development Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Community Development Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
- 49. <u>Prior to the issuance of a building permits,</u> the applicant shall prepare photometric study in conjunction with a final lighting plan for approval by the Planning Division. The survey shall show that lighting values are "1" or less at all property lines.
- 50. Any proposed illumination of the cupola and tower features shall consist of soft accent lighting so as not to become a visual disturbance to the views of the adjacent residences
- 51. <u>Prior to issuance of the certificate of occupancy or final of building permits,</u> the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm control of all lighting sources.
- 52. A covered wash-out area for refuse containers and kitchen equipment, with minimum useable area dimensions of 36-inches wide, 36-inches deep and 72-inches high, shall be provided for all food uses, and the area shall drain directly into the sewer system, unless otherwise approved by the Building Official and Public Works Director in conjunction with the approval of an alternate drainage plan.

- 53. Kitchen exhaust fans shall be installed/maintained in accordance with the Uniform Mechanical Code. The issues with regard to the control of smoke and odor shall be directed to the South Coast Air Quality Management District.
- 54. The exhaust systems for any food uses shall be installed with pollution control units to filter and control odors.
- 55. The construction and equipment staging area shall be located in the least visually prominent area on the site and shall be properly maintained and/or screened to minimize potential unsightly conditions.
- A six-foot-high screen and security fence shall be placed around the construction site during construction.
- 57. Construction equipment and materials shall be properly stored on the site when not in use.
- 58. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Mariner's Pointe Project including, but not limited to, the approval of General Plan Amendment No. GP2010-009, Code Amendment No. CA2010-009, Site Development Review No. SR2010-001, Conditional Use Permit No. 2010-024, Variance No. 2010-004, and Parcel Map No. 2010-008; and/or the City's related California Environmental Quality Act determinations, the certification of the Mitigated Negative Declaration and/or the adoption of a Mitigation Monitoring Program for the project. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Fire Department Conditions

- 59. Elevators shall be gurney-accommodating in accordance with Article 30 of the California Building Code (2007 edition).
- 60. Fire flow shall be provided to the property in accordance with Newport Beach Fire Department Guideline B.01.
- 61. Fire sprinklers shall be installed throughout the commercial building and parking structure.

- 62. Fire apparatus access is required onto the property. The first level of the parking structure shall accommodate an inside turning radius of 20 feet and an outside turning radius of 40 feet. A clear ceiling height of 13 feet 6 inches shall be required.
- 63. A manual fire alarms system is required that activates the occupant notification system in Group "M" occupancies when the combined occupant load of all floors if 500 or more persons or the Group "M" occupant load is more than 100 persons or below the lowest level of exit discharge.
- 64. The proposed fire curtain between the parking structure and the exit corridor shall require activation by a smoke detector, unless deemed unnecessary by the Fire Marshall. A smoke detector in this location may be subject to nuisance alarms from car exhaust, which can result in false alarm fees from the City.

Building Division Conditions

- 65. The applicant is required to obtain all applicable permits from the City Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements.
- 66. Prior to the issuance of grading permits, a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) to comply with the General Permit for Construction Activities shall be prepared, submitted to the State Water Quality Control Board for approval and made part of the construction program. The project applicant will provide the City with a copy of the NOI and their application check as proof of filing with the State Water Quality Control Board. This plan will detail measures and practices that will be in effect during construction to minimize the project's impact on water quality.
- 67. Prior to issuance of grading permits, the applicant shall prepare and submit a Water Quality Management Plan (WQMP) for the proposed project, subject to the approval of the Building Division. The WQMP shall provide appropriate Best Management Practices (BMPs) to ensure that no violations of water quality standards or waste discharge requirements occur.
- 68. A list of "good house-keeping" practices will be incorporated into the long-term post-construction operation of the site to minimize the likelihood that pollutants will be used, stored or spilled on the site that could impair water quality. These may include frequent parking area vacuum truck sweeping, removal of wastes or spills, limited use of harmful fertilizers or pesticides, and the diversion of storm water away from potential sources of pollution (e.g., trash receptacles and parking structures). The Stage 2 WQMP shall list and describe all structural and non-structural BMPs. In addition, the WQMP must also identify the entity responsible for the long-term inspection, maintenance, and funding for all structural (and if applicable Treatment Control) BMPs.
- 69. The applicant shall comply with SCAQMD Rule 403 requirements as follows:

Land Clearing/Earth-Moving

- a. Exposed pits (i.e., gravel, soil, dirt) with five percent or greater silt content shall be watered twice daily, enclosed, covered, or treated with non-toxic soil stabilizers according to manufacturers' specifications.
- b. All other active sites shall be watered twice daily.
- c. All grading activities shall cease during second stage smog alerts and periods of high winds (i.e., greater than 25 mph) if soil is being transported to off-site locations and cannot be controlled by watering.
- d. All trucks hauling dirt, sand, soil, or other loose materials off-site shall be covered or wetted or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer).
- e. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.
- f. All vehicles on the construction site shall travel at speeds less than 15 mph.
- g. All diesel-powered vehicles and equipment shall be properly operated and maintained.
- All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes.
- j. The construction contractor shall utilize electric or natural gas-powered equipment instead of gasoline or diesel-powered engines, where feasible.

Paved Roads

- k. All construction roads internal to the construction site that have a traffic volume of more than 50 daily trips by construction equipment, or 150 total daily trips for all vehicles, shall be surfaced with base material or decomposed granite, or shall be paved.
- Streets shall be swept hourly if visible soil material has been carried onto adjacent public paved roads.
- m. Construction equipment shall be visually inspected prior to leaving the site and loose dirt shall be washed off with wheel washers as necessary.

Unpaved Staging Areas or Roads

n. Water or non-toxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce off-site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.

Public Works Conditions

- 71. The parking layout and circulation shall comply with City Standard STD-805-L-A and STD-805-L-B. The vehicular ramps within the parking garage should be a minimum of 24 feet wide. Ramp slopes shall not exceed 15-percent maximum. The maximum percent change is 11-percent at a minimum of five-foot intervals. The five-foot interval shall continue across the entire ramp. Parallel parking spaces shall be 8 feet wide by 22 feet long.
- 72. <u>Prior to the issuance of a Building Permit,</u> the final parking layout and circulation shall be subject to the review and approval by the City Traffic Engineer.
- 73. Prior to the issuance of a building or grading permit, a final valet operations plan is required to be reviewed and approved by the City Traffic Engineer. Any future changes to the approved valet plan shall be reviewed and approved by the Community Development Director and Traffic Engineer. The applicant shall immediately resolve any valet operational issues that impact the public right-of-way.
- 74. The ceiling height of the first level of the parking structure shall maintain an unobstructed vertical clearance of 14 feet clear.
- 75. Prior to the issue of a building permit, the applicant shall obtain approval from the adjacent property owner for the proposed lane drop extension and sidewalk along West Coast Highway running through the property and shall obtain an easement/dedication for the City for Street and Sidewalk purposes.
- 76. The driveway entrances to West Coast Highway shall be designed to accommodate vehicular sight distance per City Standard STD-110-L. All planting shall be limited to 24 inches in height maximum within the limited use area. Walls or other permanent obstructions shall be limited to 30 inches in height maximum within the limited use area.
- 77. The westerly outbound only driveway shall be narrowed to 20 feet maximum and appropriate signage shall be installed to discourage vehicles from entering the driveway, unless otherwise approved by the City Traffic Engineer.
- 78. The proposed striping changes on West Coast Highway shall be reviewed and approved by Caltrans prior to implementation.
- 79. The water feature and other non-standard improvements within the West Coast Highway right-of-way requires approval from the State Department of Transportation (Caltrans).

- 80. Water feature along Dover Drive shall require the review and approval of a Building Permit and requires an encroachment permit and agreement from the City of Newport Beach Public Work's Department.
- 81. All landscaping within the public right-of-way shall be reviewed and approved by the Public Works Department and Municipal Operations Department. An encroachment agreement is required for all planting within the public right-of-way.
- 82. No permanent structure shall be permitted within the required 10-foot-wide sewer easement area, unless otherwise approved by the Public Work's Department. The applicant is required to replace the 8-inch sewer main from the manhole located on the property line between 303 and 311 Kings Road and the manhole located on West Coast Highway. Knock-out panels or other improvements approved by the Public Works Department shall be installed along the entire length of the required 10-wide sewer easement. The final design of the parking structure shall take into account the sewer main and shall be subject to further review and approval by the Public Works Department.
- 83. Applicant shall bear all cost (design and construction) of the necessary water system and sewer improvements needed to support the proposed project, including minimum fire flow requirements. The water system improvements may include installation of a regulator and water main extension. The final design shall be reviewed and approved by the Public Works Department.
- Prior to issuance of demolition and grading permits, the applicant shall submit a construction management and delivery plan to be reviewed and approved by the Public Works Department. The plan shall include discussion of project phasing, parking arrangements for both sites during construction, and anticipated haul routes. Upon approval of the plan, the applicant shall be responsible for implementing and complying with the stipulations set forth in the approved plan.
- Traffic control and truck route plans shall be reviewed and approved by the Public Works Department before their implementation. Large construction vehicles shall not be permitted to travel narrow streets as determined by the Public Works Department. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagman.

Parcel Map Conditions

- 86. This Parcel Map shall expire if the map has not been recorded within three years of the date of approval, unless an extension is granted by the Community Development Director in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.
- 87. A parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer

preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.

- 88. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Section s 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set On Each Lot Corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
- 89. All improvements shall be constructed as required by Ordinance and the Public Works Department.
- 90. The sidewalk, curb and gutter shall be reconstructed along the entire project frontage of West Coast Highway and Dover Drive. The sidewalk shall be a minimum width of 10 feet on West Coast Highway and 12 feet on Dover Drive. Limits of reconstruction are at the discretion of the Public Works inspector.
- 91. All unused driveway approaches along Dover Drive and West Coast Highway shall be replaced with a new driveway plug per City Standards.
- 92. All new driveway approaches shall be constructed per City Standard STD-166-L.
- 93. All existing overhead utilities shall be undergrounded.
- 94. An encroachment permit is required for all work activities within the public right-of-way.
- 95. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
- 96. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
- 97. All on-site drainage shall comply with the latest City Water Quality requirements.
- 98. All proposed non-standard improvements within the public right of way, are subject to further review and approval by the Public Works Department and requires an encroachment permit and encroachment agreement.
- 99. A 10-foot-wide sewer easement shall be provided through the lower level parking garage to accommodate the existing sewer main running through the property and connecting to West Coast Highway.

- 100. The applicant shall dedicate to the City a 20' by 27' area located at the southwest corner of the property to accommodate the new transition on West Coast Highway.
- 101. Relocation of the safety lighting on West Coast Highway requires approval from Caltrans.

Mitigation Measures

102. The applicant shall comply with all mitigation measures and standard conditions contained within the approved Mitigation Monitoring and Reporting Program of the adopted Mitigated Negative Declaration (Exhibit A) for the project.

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss.
CITY OF NEWPORT BEACH }

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2011-86 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 9th day of August, 2011, and that the same was so passed and adopted by the following vote, to wit:

Ayes: Hill, Rosansky, Selich, Curry, Mayor Henn

Noes: Gardner, Daigle

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 10th day of August, 2011.

City Clerk

Newport Beach, California

(Seal)



Attachment No. PC 3

Planning Commission Resolution No. 2012-1878

RESOLUTION NO. 1878

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH APPROVING THE FINAL ARCHITECTURAL AND LANDSCAPING PLANS FOR THE MARINER'S POINTE PROJECT LOCATED AT 100-300 WEST COAST HIGHWAY AND FINDING CHANGES IN DESIGN TO BE IN SUBSTANTIAL CONFORMANCE WITH THE DESIGN APPROVED BY SITE DEVELOPMENT REVIEW SR2010-001 AND USE PERMIT NO. UP2010-024 (PA2010-114)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. On August 9, 2011, the City Council adopted Resolution No. 2011-86 approving the Mariner's Pointe project, a 19,905-square-foot commercial building and a three-level parking structure on a 0.76-acre site located 100-300 West Coast Highway, and legally described as Lots 1, 2, 3, 4, 5, and 6 of Tract No. 1210; and
- 2. In compliance with Condition No. 4 of City Council Resolution No. 2011-86, the applicant, VBAS Corporation, has submitted final architectural plans for review and approval by the Planning Commission; and
- 3. In compliance with Condition No. 20 of City Council Resolution No. 2011-86, the applicant has submitted final landscaping plans for review and approval by the Planning Commission; and
- 4. The applicant has proposed revisions to the approved conceptual building design, which include minor increases in height to various tower elements of the parking structure and the addition and expansion of rooftop mechanical equipment enclosures; and
- 5. A public meeting was held by the Planning Commission on June 7, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting; and

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. A Mitigated Negative Declaration (SCH No. No. 2011041038) was prepared for the project in accordance with the implementing guidelines of the California Environmental Quality Act (CEQA). The document was made available for public review and comment during a 30-day review period beginning on April 11, 2011, and ending on May 11, 2011, and subsequently approved by the City Council on August 9, 2011. A subsequent mitigated negative declaration for the project is not required to be prepared pursuant to CEQA Guidelines Section 15162 because the proposed

revisions to project design are minor and do not constitute "substantial changes" to the project that would involve new significant environmental effects or result in additional mitigation measures.

SECTION 3. REQUIRED FINDINGS.

1. Pursuant to Condition of Approval No. 4, the Planning Commission must find that the final architectural plans incorporate the architectural elements and high level of detail that were illustrated in the approved conceptual plans. The following facts in support of such finding are set forth:

Facts in Support of Finding:

- A. Although minor adjustments have been made to the building elevations, the proposed final plans implement the principal architectural elements and high level of detail that was illustrated in the approved conceptual plans, including the balconies, tower features, awnings, ornamental windows and railings, cornices and moldings, stone veneer, ornamental lighting fixtures, and variation in building elevations.
- B. To reduce the overall mass of the building and to enhance its visual quality, the design utilizes several vertical and horizontal offsets, includes variation in height through the use of entry and corner tower elements, and utilizes multiple materials and colors.
- C. Additional architectural enhancements have also been added; for example, the openings within the main tower element of the parking structure have been covered with decorative metal screen that will conceal vehicles accessing the parking structure ramps and interior lighting. It also provides an additional layer to the wall plane with accent lighting to increase visual interest.
- D. The final plans also maintain the clean roof design with all mechanical equipment screened from view within equipment enclosures to enhance the aesthetics of the roof as viewed by the residences above. The flat portions of the roof are proposed to be constructed with materials that meet required "cool roofs" standards for energy efficiency, but will be tan in color to reduce glare.
- E. The lighting plans illustrate that all exterior lighting fixtures have been designed, shielded, aimed, or located to shield adjacent properties and to avoid excessive light and glare inconsistent with the project conditions of approval and the outdoor lighting standards of the Zoning Code. The cupola and tower feature located at the southeasterly corner of the building includes accent lighting around its perimeter; however, lighting has been eliminated from the interior and rear of the feature to avoid unnecessary lighting that could impact the residences above.

2. Pursuant to Condition of Approval No. 20, the Planning Commission must find that the final landscaping plans implement the landscaping improvements that were illustrated in the approved conceptual plans. The following facts in support of such finding are set forth:

Facts in Support of Finding:

- A. The approved conceptual landscape plan included extensive decorative paving, a 280-square-foot water feature, and approximately 3,700 square feet of planter area that included a variety of plant materials. Minor revisions have been made to the final landscaping plan, including revised placement of palm trees, increased decorative paving in front of Suite R-104, and an enlarged water feature. Planter area has been reduced to approximately 2,460 square feet due to increased decorative paving and an enlarged water feature area of 598 square feet.
- B. The plan continues to implement the landscape requirements of the Mariner's Mile Strategic Vision and Design Framework by providing the minimum four-foot-wide planter area with continuous hedge and palms. Despite the reduction in planter area, the plans maintain a variation of ornamental groundcover, vines, shrubs, and trees to help soften and buffer the massing of the parking structure and commercial building from the surrounding areas and roadways
- 3. Upon completing the structural drawings for the project, a number of revisions needed to be made to the approved conceptual building. Pursuant to Condition of Approval No. 1, the project design changes shall be in substantial conformance with the approved conceptual plans and pursuant to Condition of Approval No. 4, the Planning Commission may approve changes. The following facts in support of such finding are set forth:

Facts in Support of Finding:

- A. The increased height for the three parking structure tower elements continue to comply with the maximum 35-foot height limit for flat roofs and 40-foot height limit for sloping roofs that was approved under Site Development Review No. SR2010-001. These features within the context of the overall design will provide visual interest as vertical elements that help break up the project massing.
- B. The changes in the design of the roof-mounted mechanical equipment screening enclosures are necessary to accommodate the installation of current and future mechanical equipment, including silencers to minimize noise and pollution control units to control odors. Since the equipment will not be under a solid roof, a noise assessment was prepared for the project by Mestre Greve Associates. In addition to the mechanical equipment system, the noise assessment analyzed the cumulative noise that may be generated from the project including the parking structure activity and outdoor dining activity. The results of the assessment verified that with the specific mechanical equipment with silencers, the noise generated will be in compliance with the City's noise standards (NBMC Section 10.26).

C. To address the loss of the seven on-site parking spaces, when use permit applications are submitted for the future restaurant uses, they will be reviewed to ensure adequate parking is provided based on the proposed net public area.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- 1. Consistent with Condition Nos. 4 and 20 of City Council Resolution No. 2011-86, the Planning Commission of the City of Newport Beach hereby approves the final architectural and landscaping plans for the Mariner's Pointe project.
- The Planning Commission finds the proposed revisions to the project design are in substantial conformance with the project approved by Site Development Review No. SR2010-001 and Use Permit No. UP2010-024.
- This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 7TH DAY OF JUNE, 2012.

AYES: Ameri, Hillgren, Kramer, and Tucker

NOES: Toerge

ABSTAIN: None

ABSENT: Brown and Myers

Micheal Toerge, Chairman

Fred Ameri, Secretary

June 7, 2012 Planning Commission Minutes

ITEM NO. 5 Mariner's Pointe (PA2010-114) SITE LOCATION: 100 – 300 West Coast Highway

Community Development Director Brandt noted this is not a public hearing but rather is being presented in compliance with conditions of approval on the project. She stated that staff provided public notice to all property owners within 300 feet of the property so that they would have the opportunity to participate in the meeting.

Associate Planner Murillo presented details of the final architectural and landscaping plans for the Mariner's Pointe project which was approved by Council on August 9, 2011. The project is a two-story commercial building and a three-level parking structure on the corner of West Coast Highway and Dover Drive. He provided background information of the previously approved project and noted that the building and parking structures were designed to accommodate restaurant use, retail use and medical office use. He reported that when the Council approved the project, they noted that the project would help revitalize the Mariner's Mile corridor and would establish a new, higher standard of development for the area. He stated that to ensure the proposed architectural and landscape improvements were implemented in the final design, the Council added conditions of approval requiring the Planning Commission to review and approve the final building elevations and roof plan and landscaping improvements. Any substantial changes would also require Planning Commission review.

He noted the Commission has been provided with detailed architectural and landscaping plans as well as other information to assist with the review. He presented details of the overall design, enhanced architectural details and pointed out changes to the design. Mr. Murillo addressed revisions to the building elevation and parking structure, and increases in the height of the proposed towers. He reported on the expansion of the mechanical equipment enclosure over the commercial building and the addition of a new mechanical equipment enclosure over the parking structure. He addressed details of the roof plan, the need to increase the size of the equipment enclosures due to installation of pollution control units and ventilation fans and silencers, mechanical equipment screening, and a noise assessment that was prepared to ensure compliance with the City's noise standards. He addressed colors and materials for the project, and summarized revisions to the final landscape plan including the expansion of the water feature at the corner of the project and expansion of decorative paving. He presented recommendations as stated in the report and noted that a comment letter was received by staff which was distributed to the Commission.

Discussion followed regarding changes in the square footage of the retail components and in parking.

Mr. Murillo reported that the exact land-use mix is unknown and explained that parking requirements were based on a number of assumptions. He also noted that due to the need to add columns to support the increased weight of the roof, the number of spaces within the parking structure has been reduced to 143 parking spaces.

Interested parties were invited to address the Commission on this item.

Todd Stoutenborough, Stoutenborough Architects and Planners, felt the project presents a logical solution to a difficult site. He reported that many of the Commission's suggestions were incorporated into the final drawings and noted the project was well-received by Council. He addressed the elevation of the site and adjacent bluff, original approved concept plan, the commercial building and parking structure design, colors and materials, and design concept of achieving a village look for the project. Mr. Stoutenborough addressed details of changes to building elevations, entry to the parking garage, height of the parking garage, original and revised roof plan, requirement to ventilate the garage, pavers, enhancements in the proposed fountain, additional stone veneer, architectural colors and materials, and metal screens.

Mr. Stoutenborough addressed the function of the parking structure, handicap parking, land use assumptions, noise study and screening for the mechanical equipment.

Eva Verdault and Glen Verdault, property owners, presented a history of her family and addressed their family's ethics and pride. They felt that Mariner's Pointe will be a landmark to the City and bring continual renovation to the area. They addressed installation of underground utilities as well as the re-routing of sewer lines and assured the City, business owners and residents that they have done their utmost to ensure that every aspect of the project will be something loved by everyone.

Jim Mosher, Newport Beach, spoke in opposition of the project including the architectural design and access.

Hal Wagner, Attorney representing Cameron Merage, one of the owners residing on the bluff above the proposed project, presented a written statement to the Commission and addressed the previous denial of the project by the Planning Commission because of impacts to nearby residents and the size of the structure relative to the size of the land. He felt that the proposed changes continue to impact nearby residents including increases in the heights of the towers, the mechanical equipment area and a reduction in landscaping.

Vice Chair Hillgren inquired regarding the location of decreased landscaping and Mr. Murillo reported that the decorative hardscape and the proposed water feature are considered part of the landscaping plan. He noted that the general planting area has decreased while the decorative hardscape was expanded within the parking garage and on the side adjacent to Dover.

Commissioner Tucker noted that the landscaping meets the Mariner's Mile landscaping guidelines.

Mr. Wagner requested that the Commission deny the proposed changes to the approved plan.

Steven James commented on the size of the property and felt that the owners are proposing a building that is far superior to anything currently on Mariner's Mile. He spoke in support of the project noting that the changes only enhance what has already been presented.

Jack Geerling reported he lives on the bluff above the proposed project and expressed concerns regarding elimination of his view by the project. He noted previous denial of the project by the Planning Commission, reported that his neighbors have indicated opposition to the project and addressed the possibility of decreased property values.

Cameron Merage commented in opposition to the project and addressed the proposed mechanical equipment screening and related issues with noise and fumes.

Albert Hanna, Newport Beach, spoke in support of the project and urged the Commission to approve it.

There being no other speakers, Chair Toerge closed the public comments for this item.

Todd Stoutenborough reported working closely with nearby neighbors and stated there are no view impacts or smells in relation to the project. He noted careful attention has been given and addressed the heights of the structures.

Commissioner Tucker reported that the project has been approved by Council and that they imposed conditions on the Planning Commission to review elevations and the landscape plan. He inquired regarding vine pockets along the west elevation and the possibility of planting trees in place of the vines.

Mr. Stoutenborough explained the wall is a four-hour firewall between adjacent properties and that there is no room to plant trees in that area. In response to Commissioner Tucker's inquiry regarding maintenance of the silencer and odor scrubber, Mr. Stoutenborough stated he would agree with the addition of a condition addressing same.

He replied to additional questions from Commissioner Tucker regarding the type of tiles proposed for the roof, the smooth trowel stucco finish, the proposed window mullions and doors and the proposed stone veneer.

Community Development Director Brandt reported that the Planning Commission has been charged with the duty of reviewing and approving the exterior elevation and finishes for the building and that any future tenant wishing to change the approved exterior would require review by the Planning Commission.

Regarding the plaster, Mr. Murillo reported that the notes on the architectural plans match the style shown in the colors and materials board indicating a smooth-coat finish.

Commissioner Kramer addressed the increased height of the tower elements noting that it complies with maximum Code requirements. He noted that the landscaping fits within the Mariner's Mile specifications and commended the applicant for the project stating that it is fitting as an entrance to the area and sorely needed. He indicated he will vote in favor of the project.

Commissioner Ameri expressed concerns with the façade of the parking garage but indicated he will support the project.

Motion made by Vice Chair Hillgren and seconded by Commissioner Kramer.

Commissioner Tucker commended the applicant on the project and commented positively on it.

Chair Toerge inquired regarding the decrease in parking spaces, the specific location of the loss and the number of parking stalls in the original proposal that were off site.

Mr. Murillo presented a comparison between the approved and revised number of parking stalls.

Mr. Stoutenborough reiterated that many of the Planning Commission's suggestions were incorporated into the plan that was presented to the City Council.

Chair Toerge commended the applicant on the quality of material but expressed concerns regarding the amount of development on the site. The project modifications render the project's mass larger than that which was approved by the City Council and eliminates seven parking stalls, which represent 5 percent of the total parking provided. Chair Toerge stated that he would not be in support.

Motion carried (4 - 1), to adopt the draft resolution approving the final architectural and landscaping plans for the project, and find the changes in the design to be in substantial conformance with the project design approved by Site Development Review No. SR2010-001 and Conditional Use Permit No. UP2010-024.

AYES: Ameri, Hillgren, Kramer, and Tucker

NOES: Toerge ABSTENTIONS: None

ABSENT (Excused): Brown and Myers

ITEM NO. 6 Review of Preliminary Fiscal Year 2012-2013 Capital Improvement Program

(PA2007-131)

This item was heard at the beginning of the agenda as requested by staff.

I. STAFF AND COMMISSIONER ITEMS

ITEM NO. 7 Community Development Director's report.

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June 7, 2012 Colored Renderings of Approved Architectural Plans



View along West Coast Highway

May 17, 2012

Mariner's Pointe

West Coast Highway at Dover Newport Beach, CA
WINSTON'S JEWELERS c/o VBAS Properties, Inc
18582 Beach Boulevard, Suite 226
Huntington Beach, CA 92648

S T O U T E N B O R O U G H = Architects and Planners

420 Alta Vista Way, Suite 100, Laguna Parh, Ca 92651
T 949 715 3257 | F 949 715 3256 | www.stouremboroughinc.com

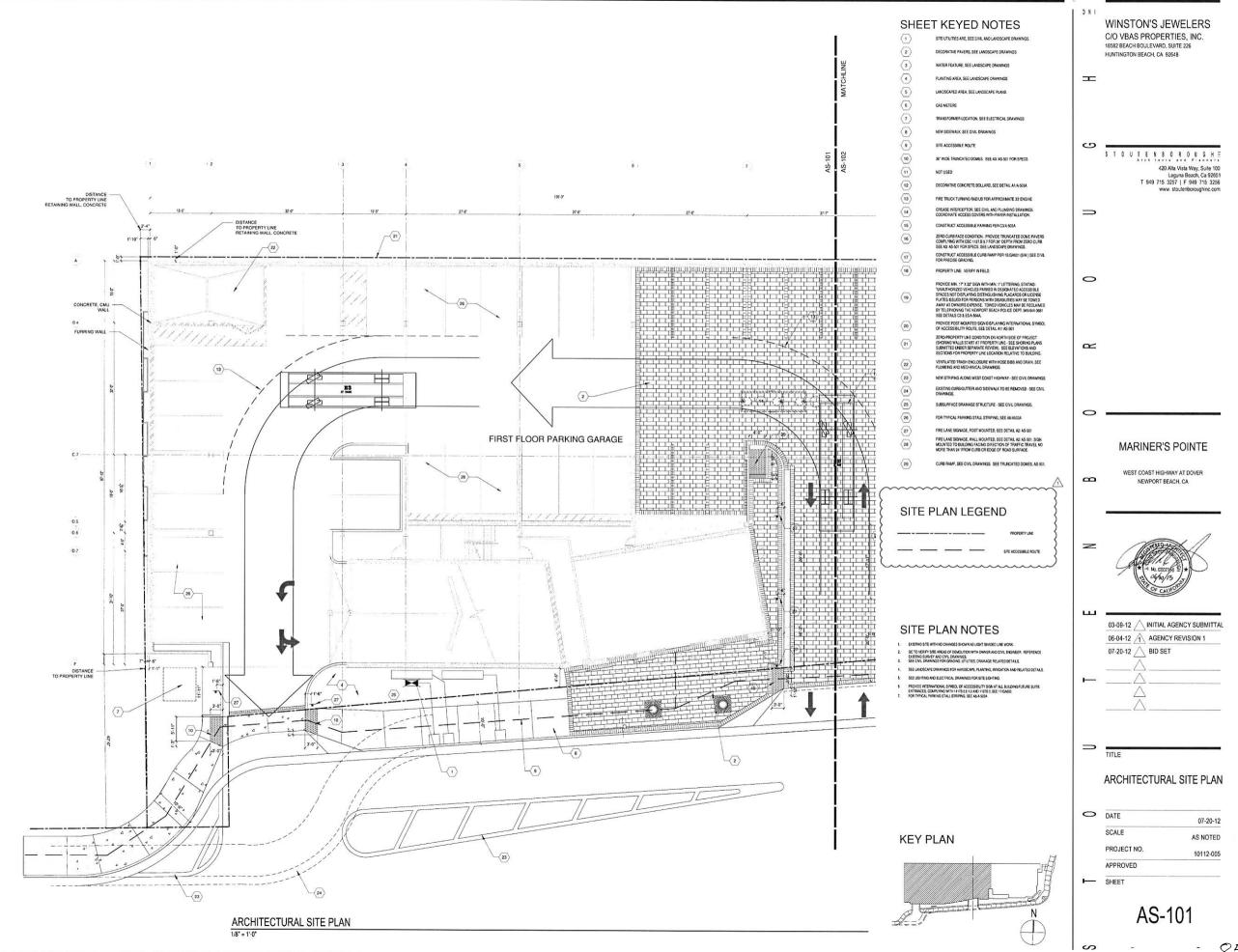


North Elevation

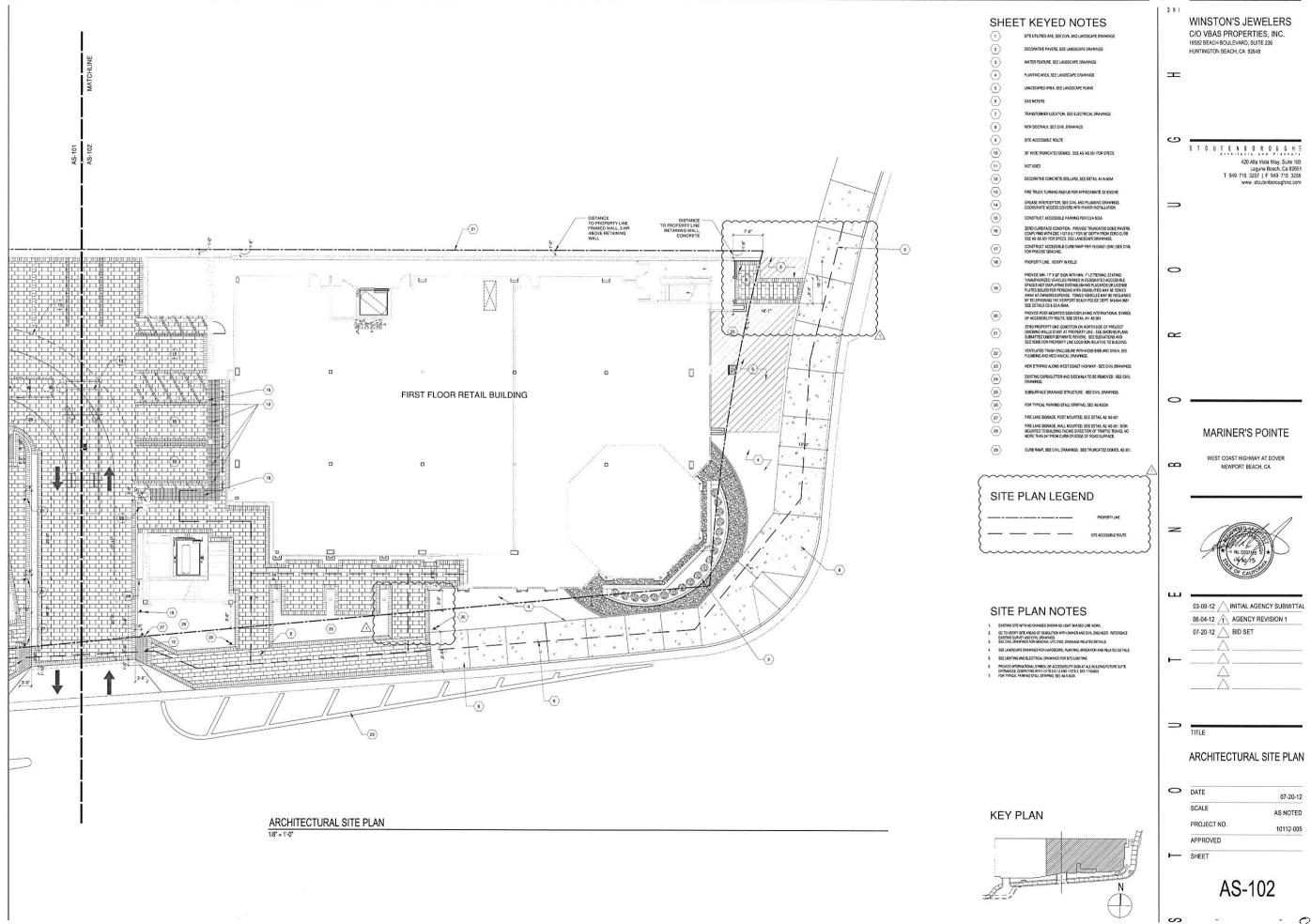
May 17, 2012

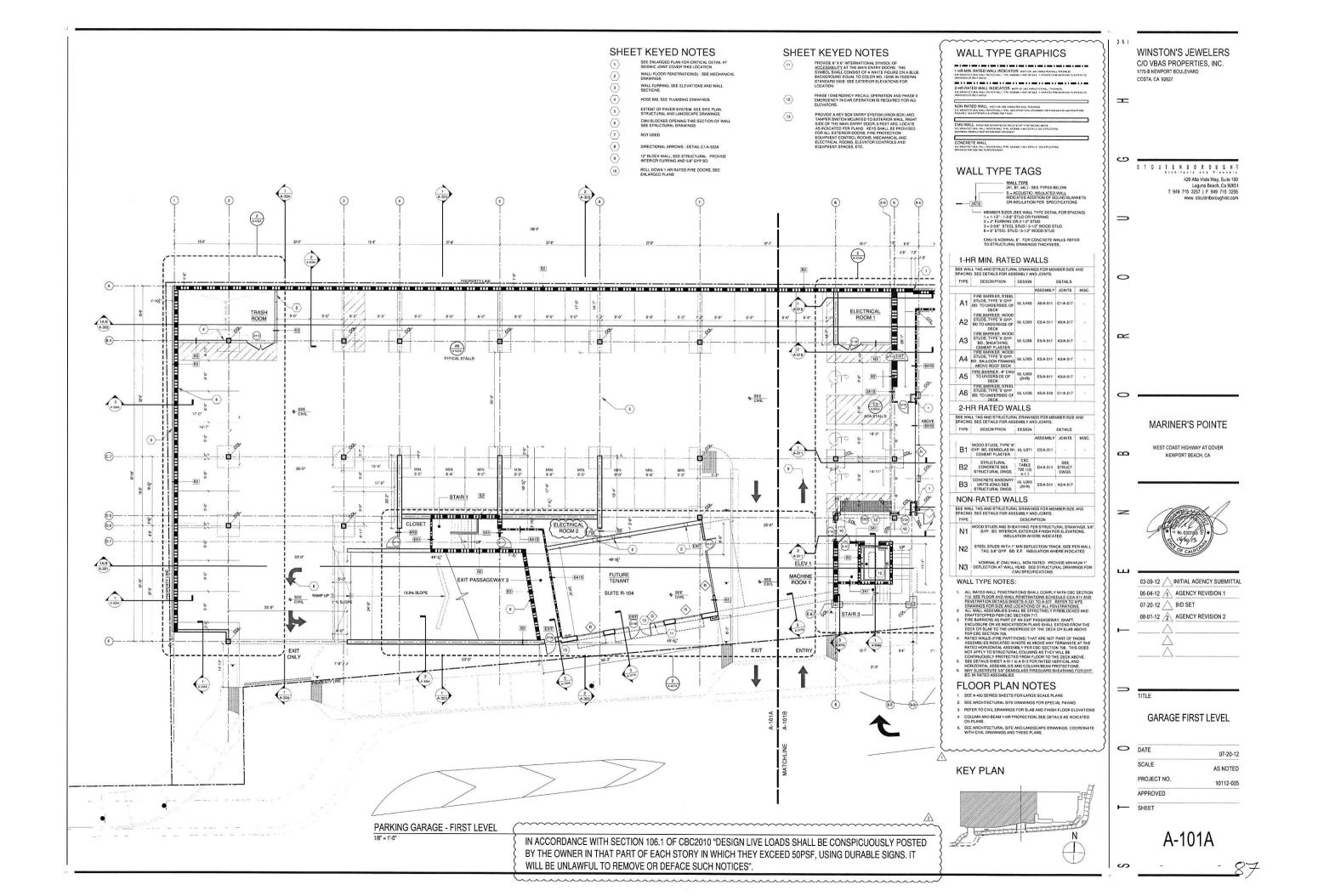
Mariner's Pointe West Coast Highway at Dover Newport Beach, CA WINSTON'S JEWELERS c/o VBAS Properties, Inc 18582 Beach Boulevard, Suite 226 Huntingron Beach, CA 92648 S T O U T E N B O R O U G H = Architects and Planners 420 Alia Visia Way, Suite 100, Lagana Search, Ca 92651 1949 715 3257 | F949 715 3256 | www.staticabaraeghirc.com

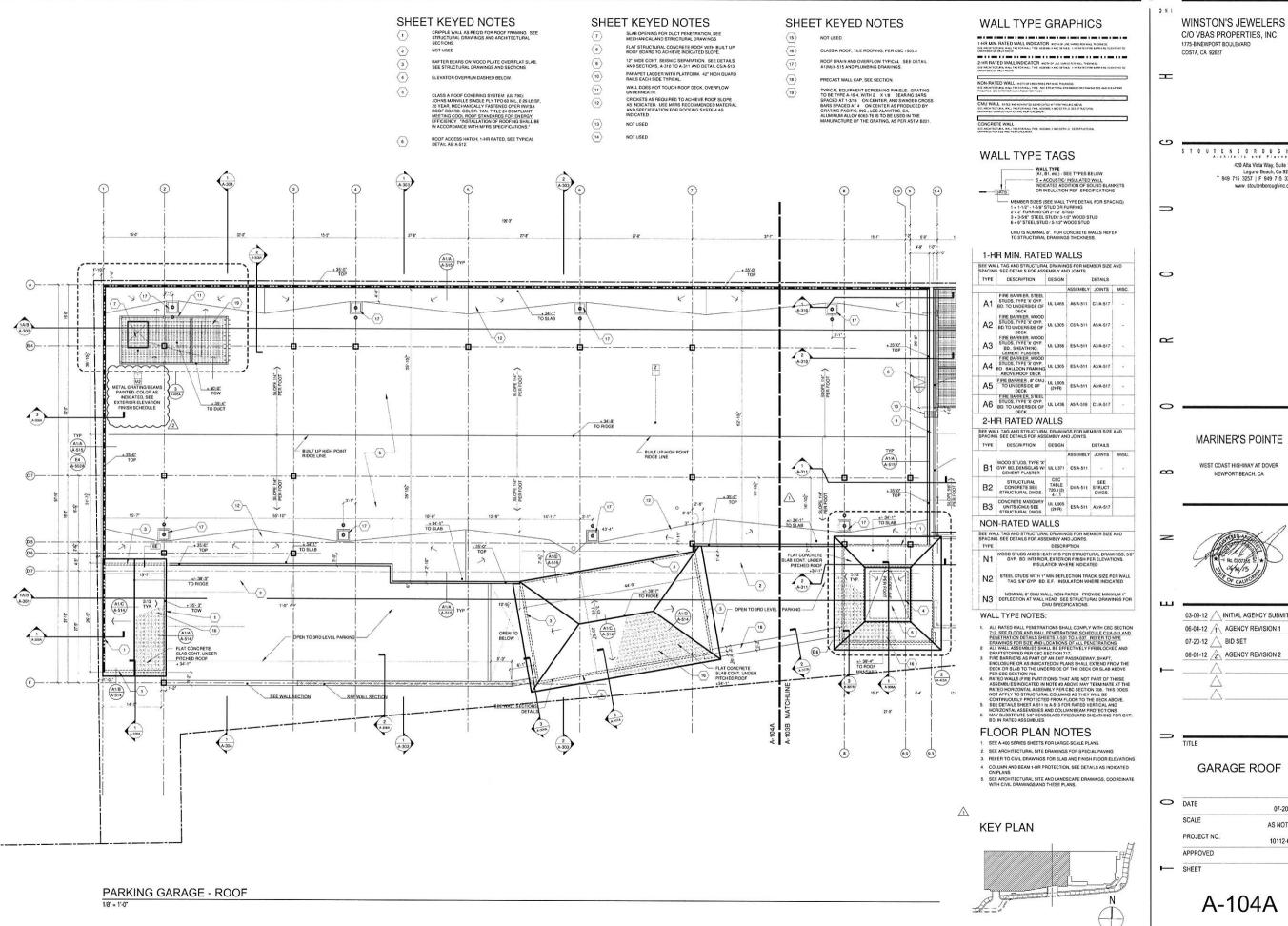
June 7, 2012 Final Approved Architectural Plans (Affected Sheets)



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C/O VBAS PROPERTIES, INC. 1775-B NEWPORT BOULEVARD

STOUTENBOROUGHE 420 Alta Vista Way, Suite 100 Laguna Beach, Ca 92651 T 949 715 3257 | F 949 715 3256

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER



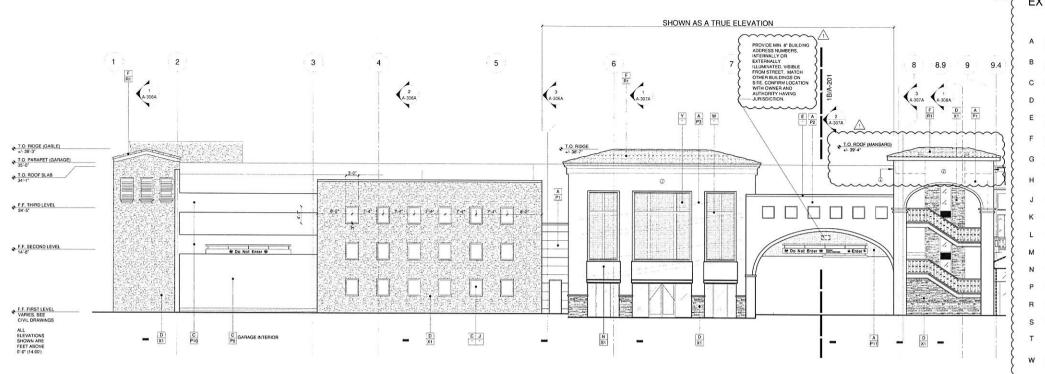
03-09-12 / INITIAL AGENCY SUBMITTAL 06-04-12 /1 AGENCY REVISION 1 07-20-12 /\ BID SET 08-01-12 2 AGENCY REVISION 2

GARAGE ROOF

07-20-12 AS NOTED PROJECT NO. 10112-005

A-104A

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VATION 12 12.1 14.8 14.9 T.O. FINIAL 40:-0* T.O. HIGH CURVED ROOF 38'-0' F.F. SECOND LEVEL 6 0'-0" (14.00")

1B EXTERIOR ELEVATION - RETAIL SOUTH

1A EXTERIOR ELEVATION - GARAGE SOUTH

EXTERIOR FINISH SCHEDULE

MATERIAL / ITEM

- A EXTERIOR CEMENT PLASTER OMEGA COLORTEK SMOOTH-COAT FINISH
- EXTERIOR CEMENT PLASTER OMEGA COLORTEK

- PRE-CAST CONCRETE CAP, SURROUND, ETC. SEE DETAIL AS
- CLAY ROOF TILE 2 PIECE MISSION CLAY TILES, BORAL
- GFRC MOLDING, PIER, ENTABLATURE, CORNICE, PANEL, BALUSTRADE, ETC., SEE SECTIONS AND DETAILS
- DECORATIVE METAL SEE DETAILS AS INDICATED
- DECORATIVE PERGOLA/ TRELLIS SEE DETAILS AS INDICATED
- DECORATIVE CONTROL JOINT SEE DETAILS AS INDICATED
- FABRIC AWNING BY OTHERS, GC TO PROVIDE SUPPORTS
- DOOR(S) PER SCHEDULE
- PRE-FINISHED METAL COPING/ TRIM / FASCIA
- - WOOD FRAMING, MOLDING, TRIM, FASCIA ETC. SEE DETAILS AND SECTIONS.
- X METAL LOUVER(S) SEE DETAILS AND SECTIONS.
- GREEN GLASS (DOUBLE PANE) MYLAR IN-BETWEEN W/ METAL GRILL AND BACK LIGHT, SEE DETAILS
- Z TPO ROOFING PER SPECS AND PLAN: COLOR TAN

COLOR / FINISH

- P1 PLASTER COLOR: 56 PEARL GREY
- P2 PLASTER COLOR: 15 BIRCH WHITE
- PLASTER COLOR: 432 MILKY QUARTZ
- PAINT COLOR: VISTA PAINT OW 157
- P5 PAINT COLOR: VISTA PAINT OW 158
- PAINT COLOR: VISTA PAINT OW 159
- PAINT COLOR: VISTA PAINT OW 160
- PAINT COLOR: VISTA PAINT 8555 TENDER TAN
- PAINT COLOR: VISTA PAINT 8554 HEBITAGE HILL
- P10 PAINT COLOR: VISTA PAINT 8552 SWISS CREAM
- P11 PAINT COLOR: VISTA PAINT 8550 DIG IT
- PPG CAP: UC106718XL DURANAR XL COPPER CANYON
- ABBOTT INDUSTRIES: CANVAS, RED #4699: SEE NOTE #1
- \$2 ABBOTT INDUSTRIES: CANVAS, GREEN #4671: SEE NOTE #1
- S3 ABBOTT INDUSTRIES: CANVAS, STRIPED #4969; SEE NOTE #1 (COORDINATING)

EXTERIOR ELEVATION NOTES

- EXTERIOR CANOPY MATERIAL CANOPIES SHALL BE CONSTRUCTED OF A RIGID FRAMEWORK WITH AN APPROVED COVERING THAT MEETS THE FIRE PROPAGATION PERFORMANCE CRITERIA OF NEPA 70 10 RI MAS A FLAME SPRIED INDEX NOT GREATER THAN 25 WHEN TESTED AN COORDANCE WITH A STATE OF THE MANUFACTURE OF THE ANALYSE SHOWN WITH THE THAN ETHER AND A TOTAL OF THE ANALYSE AND A THE THAN STATE OF THE ANALYSE OF THE ANALYSE OF THE ANALYSE AND A THE THAN STATE OF THE ANALYSE OF THE ANALYSE OF THE ANALYSE OF THE THAN STATE OF THE THAN STATE OF THE ANALYSE OF THE THAN STATE OF THE THAN STATE OF THE ANALYSE OF THE THAN STATE OF THE THE THAN STATE OF THE T
- HM DOORS AND FRAMES TO MATCH COLOR OF ADJACENT WALL SURFACE. U.N.O. EXTERIOR FINISHES SHOWN CAN BE ASSUMED TO WRAP AROUND ELEMENT INDICATED ON SIDES AND OPPOSITE SIDE UNLESS
- OTHERWISE NOTED.
 CONTRACTOR SHALL VERIFY ALL EXTERIOR MATERIALS, COLORS, AND FINISHES WITH THE ARCHITECT. ANY DISCREPENCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR
- CLARIFICATION.
 COLORS SHALL BE BE SELECTED BY THE ARCHITECT FROM MFRS.
 STANDARD COLORS. FINISHES ARE ALSO REQUIRED AT
 PORTIONS OF INSIDE FACE OF PARAPETS EXPOSED TO PUBLIC VIEW, J-BOX FOR EXTERIOR SIGNAGE, SEE ELECTRICAL DRAWINGS.
- A-201

MARINER'S POINTE

WINSTON'S JEWELERS

STOUTENBOROUGH =

420 Alta Vista Way, Suite 100 Laguna Beach, Ca 92651 T 949 715 3257 | F 949 715 3256

C/O VBAS PROPERTIES, INC.

HUNTINGTON BEACH, CA 92648

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WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA



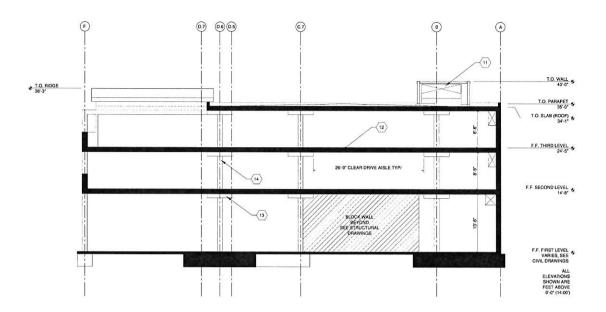
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EXTERIOR ELEVATIONS

07-20-12 AS NOTED PROJECT NO. 10112-005 APPROVED

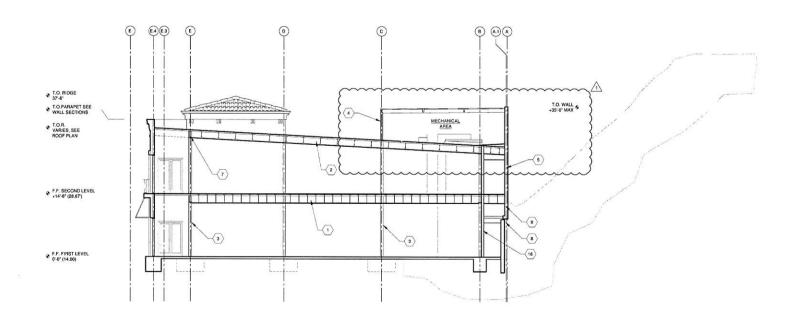
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BUILDING SECTION - GARAGE

1/8" = 1'-0"



2 BUILDING SECTION - RETAIL

SHEET KEYED NOTES

- (1) 1 HR RATED FLOOR / CEILING ASSEMBLY, SEE FIRE RATED ASSEMBLY DETAIL A1 / A-511 1-HR RATED ROOF / CEILING ASSEMBLY, SEE FIRE RATED ASSEMBLY DETAIL B1 / A-511
- 1-HR FIRE PROTECTION OF ALL STRUCTURAL COLUMNS. SEE FIRE RATED ASSEMBLY DETAILS A 511
- MECHANICAL SCREENING. SEE 1/A-204 FOR ELEVATION. 2 HR RATED EXTERIOR WALL. SEE PLAN WALL TAGS AND WALL ASSEMBLY DETAIL 05 / A-511
- 3 4 5 6 7 8 1-HR RATED ROOF, SEE RATED ASSEMBLY DETAIL B1 / A-511 AND ROOF PLAN FOR ROOFING SPECIFICATION. 1-HR RATED PROTECTION OF ALL BEAMS, SEE FIRE RATED ASSEMBLY DETAIL A-512
- RETAINING WALL. SEE CIVIL AND STRUCTURAL DRAWINGS. 9 GAP BETWEEN FRAMED WALL AND RETAINING WALL TOP. SEE WALL SECTIONS, EXTERIOR ELEVATIONS AND C1 / A-511
- 1-HR RATED VERTICAL SHAFT. SEE PLANS AND MECHANICAL DRAWINGS. 10 11 12 13 14 15 16 GARAGE EXHAUST DUCT ENCLOSURE. SEE ROOF PLAN, ELEVATIONS AND DETAILS.
- GARAGE PLAT STRUCTURAL CONCRETE POST TENSIONED SLAB. SEE STRUCTURAL DRAWINGS.
- TYPICAL COLUMN DROP PANEL. SEE PLANS AND STRUCTURAL DRAWINGS. MUST NOT ENCROACH DRIVE AISLE REO'D HEIGHTS.
- ROOF FRAMED OVER CONCRETE ROOF SLAS. SEE PLANS AND WALL SECTIONS.
- PERGOLA, SEE ELEVATIONS, DETAILS AND ROOF PLAN.
- UNOCCUPPIED ATTICE SPACE ACCESS, SEE ROOF PLAN.
- GARAGE EXHAUST DUCTING, SEE PLANS ANDMECHANICAL DRAWINGS MAINTAIN CLEARANCES AT PARKING STALLS.

3 N I WINSTON'S JEWELERS

C/O VBAS PROPERTIES, INC. 18582 BEACH BOULEVARD, SUITE 226 HUNTINGTON BEACH, CA 92648

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MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA



03-09-12 / INITIAL AGENCY SUBMITTAL 06-04-12 AGENCY REVISION 1 07-20-12 /\ BID SET

TITLE

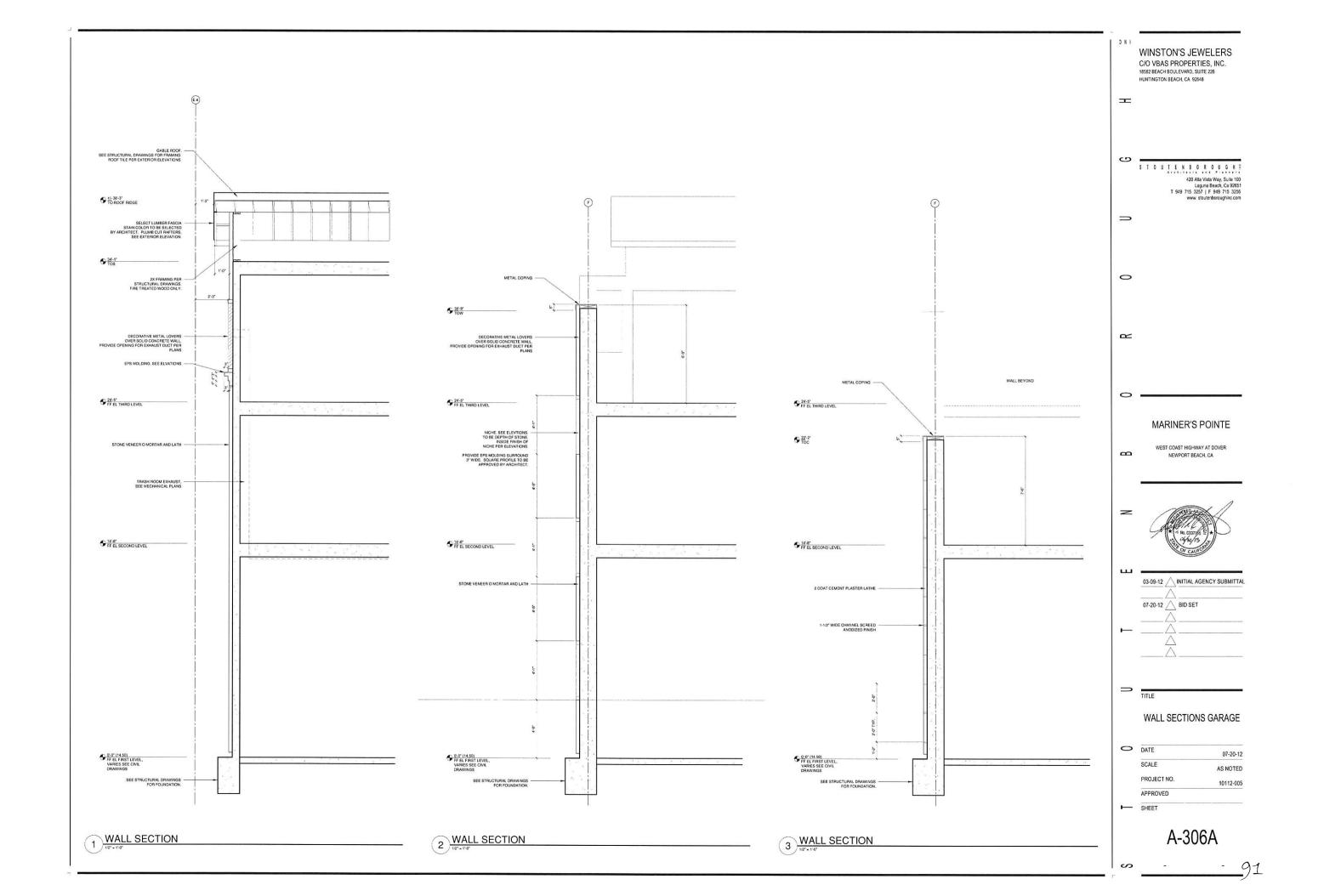
BUILDING SECTIONS

O DATE 07-20-12 SCALE AS NOTED PROJECT NO. 10112-005 APPROVED

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A-304



Proposed Revisions to Architectural Plan

ABBREVIATIONS LOCAL FIRE AUTHORITY NOTES MOLDING (MOULDING MILLYORS MODIFIED BITUHEN MOSTURE RESISTANT METAL TASHING MOTERS BETWEEN MOSTER RESISTANT METAL TASHING MOTERS MOSTER MOSTER MOSTER MOSTER MOSTER MOSTER MOST MOSTER MOST MOSTER MOST MOSTER MOST MOSTER MOST MOSTER \triangle AR RANDLING UNIT ALUMNUM ACCHITECT ACCHITECT ACCHITECT ACCHITECT ASSIMALT ASSIMALT ASSIMALT ASSIMALT ASSIMALT ACOUSTICAL CELING TILE ATTEM ASSIMALT ACOUSTICAL CELING TILE ATTEM ACCHITECT BALLED AND DURLAPPED CEILAND CEILAND CEILAND CEILAND CEILAND CEILAND CEILAND TE CLEAR COMMON CEILAND CEILAND CEILAND CEILAND CONTROL CILINT LINE CLEAR COMMON CEILAND CEILAND CONTROL CILINT LINE CLEAR COMMON CONTROL CILINT COUNTROL CILINT CO ALL BUILDING ENTRANCES SHALL BE EQUIPPED WITH A KNOX BOX. LOCATE PER FIRE MARSHAL. FIRE FLOW AND HYDRANT LOCATIONS AND DISTRIBUTION WILL BE IN COMPLIANCE PER CALIFORNIA FIRE 2 MARINER'S POINTE ALL EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL NOWLEGG OR BEFORT. ONLY THE MAIN EXIT DOOR MAY HAVE KEY OPERATED HARDWARE AND SHALL BE LIBED THIS DOOR TO REMANIL WICKOOD BURNER GISHES FOUR'S THE DOOL FILTERS A MANUAL FINANCE OF A CONTINUE OF THE PROPERTY OF BUILDING CODE ANALYSIS (CONT.) PROJECT DESCRIPTION/ SCOPE OF WORK \triangle G. EXIT ENCORMES PER CISC THE SAUL CONSTRUCTED AS FIRE BARRIERS PER CISC SECTION TO! AND OR HORIZONTAL ASSEMBLES PER CISC SECTION TO: • NITED OF STAPPANY ENCORMES (PER CISC 102): 1 HOUR RATED • EXIT PASSAGEWAYS ENCORMES (PER CISC 102): HOUR RATED PROJECT AREAS GROSS BUILDING SOUARE FOOTAGE: 76,915 SF - SEE SHEET GI-105 'BUILDING AREAS GROSS LEASABLE BUILDING AREA: 19,867 SF - SEE GI-104 PLANNING AREAS FOR BREA SEF GILIOR FOO RUNKING TARIII ATTOMS AND LAYOUT ATIONS THROUGH FIRE RATED ASSEMBLIES AND RATED ENCLOSURES CBC 715 AND TABLE 715.4. • SHAFT, EXIT ENCLOSURE, AND EXIT PASSAGEWAY DOORS: 1 HOUR RATED. PROVIDE FIRE STOPPING TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AT 10% Of CLC. RACH WAY. PROJECT ADDRESS PROTECT ABOVE GROUND GAS METERS, REGULATORS, SWITCHGEAR AND PIPING EXPOSED TO VEHICULAR DAMAGE DUE TO PROXIMITY TO ALLEYS, DRIVEWAYS OR PARKING AREAS IN AN APPROVED MANNER. BUILDINGS ARE TWO AND THREE STORIES, MAX STORIES PER TABLE 503: 2 FOR A-2, 3 FOR BM, AND 4 FOR S-NO STORY INCREASES REQUIRED. PROJECT OWNER AND ADDRESS MAX HEIGHT « MAX ALLOWABLE PER TABLE 503 IS 50". BUILDINGS ARE MAX 40" (TO HIGHEST ROOF PROJECTION). 3. MAINTAIN A EXTERIOR WALKWAYS WITH A MINIMUM WIDTH OF 48' TO A PUBLIC WAY. WINSTON'S JEWELERS CO VBAS PROPERTIES, IVC. - 1775 B NEWPORT BLVD. COSTA MESA, CA 30627 THE KEY TO THE BUILDING OR SUITE MUST BE GIVEN TO THE FIRE INSPECTIOR AT THE TIME OF FINAL INSPECTION. THE KEY WILL BE LOCKED IN THE KNOX BOX FOR FIRE DEPARTMENT EMERGENCY ACCESS. PROJECT TEAM DIRECTORY \triangle S. SPRINKLER PLANS SHALL BE SURMITTED AND APPROVED UNDER A SEPARATE PERVIT THE EXTINGUISHING WHEN SERVING MORE THAN 20 SPRINGER HEADS, AUTOMATIC SPRINGER SYSTEMAL BE SUPERVISED BY AN APPROVED CENTRAL. PROPRIETARY OR REMOTE, STATION SERVICE, OR MALL BE REPORTED WITH A LOCAL ALARM WHICH WILL GIVE M AUTORIE & SIGNAL AT A CONSTANTLY TREMEDIOLOGIOUS CAS BUSINGER. DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE (DPRC) AND SIGNATORY: A TODD STORITENBOROUGH 420 ALTA VISTA WAY, SUITE 100 LAGUNA BEACH, CA 92651 949-715-3257 COMMERCIAL OCCUPANCIES WITH MULTIPLE TENANTS SHALL BE POSTED WITH A MINIMUM OF 3 INCH HIC COMPASTING LETTERS ISJUITE DESIGNATIONS PROVIDED BY OWNER! DISPLAYED ON THE MAIN ENTRANC AND REAR DOOR(S) OF THE TENANT SPACES. CONTRACTOR TO PROVIDE LETTERS TO AREAS AS NOTED. HOW TO READ THESE DRAWINGS STRUCTURA, ENGINEER ALL NEW FIRE HYDRANTS SHALL BE INSTALLED AND TESTED PRIOR TO PLACING ANY COMBUSTIBLE MATERIALS ON THE JOS SITE. ALL DMENSIONS ARE TO FINISH FACE OF CONCRETE, CENTERLINE OF STEEL, FACE OF STUD OR CASE/ORK UNLESS OTHERWISE NOTED, DMESSION NOTED AS YOUR VISIT SE PRECESSEY WAINTHAND, DIMENSIONS AND TO ADMASTRAGE WHITOUR ARCHITECTS APPROVE, VLLESS SHOULD OS YOU, VERSEY DIMENSIONS WHERE Y'LLF, PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND NOTEY ARCHITECT OF ANY MOONIST HOME. 19. FIRE PERMITS WILL BE OBTAINED PRIOR TO OCCUPANCY. 49-421-0144 IGNATORY: SIA TILEH-KOOH DISHWASHER DRAWING EDGE OF CURB BUILDING DEPARTMENT NOTES EXTERIOR FINAL SYST EXPANSION JUST EACH LAYER ELEVATION ELASTOMERIC ENCLOSURE EDOC OF SLAB EQUIAL EASEMENT EACH SYST EQUIAL EASEMENT EACH SYST EXISTING EXCENTION FACE TO FACE FINAL ALL GLASS OVER'S SQUARE FEET IN AREA WITHIN 16" OF FLOOR OR 36" OF GRADE, AND GLASS DOORS AND WALL PANELS SHALL BE LAWNATED OR FULLY TEMPERED, SEE ELEVATIONS. ALL GLAZING WITHIN A 24" ARC OF EITHER EDGE OF A DOOR AND WITHIN 60" OF THE FLOOR SHALL BE TEMPERED, SEE ELEVATIONS. ANACAL ENGINEERING CONTACT: GLEN GWATNEY 1900 EAST LA PALMA AVENUE, SUITE 202 ANAMEM, CA 92805 714-774-1783 SIGNATORY: DAVID C. OUEYREL MEANS OF EGRESS SHOULD BE ILLUMINATED AT ALL TIMES HAVING A LIGHT INTENSITY OF NOT THAN ONE FOOT-CANDLE AT FLOOR LEVEL. THE CONTRACT DOCUMENTS ARE COMPLIMENTARY, WHAT IS SHOWN OR REFERED TO PARTIALLY OR WHOLE ON ANY SHALL BE PROVIDED AS THOUGH SHOWN ON ALL. MEANS OF EGRESS ILLUMINATION IS REQUIRED TO BE PROVIDED WITH AN EMERGENCY BACKUP SOURCE OF POWER PER THE REQUIREMENTS OF CRC 1006.3. \triangle REFERENCED CODES \triangle PROJECT VICINITY MAP (N.T.S.) 12. ALL DOORS, WINDOWS AND OTHER JOINTS IN THE EXTERIOR WALLS SHOULD BE FILLY INSULATE \triangle 13. SEE ITEMS LINDER SEPARATE PERMIT AND PLAN REVIEW \triangle ZONING INFORMATION____ THEOLOGY THROUGH THROUGH THROUGH THROUGH THROUGH THROUGH TOP OF CONCRETE WITH THE OF CONCRETE 2 A. GROSS FLOOR AREAS: FIRST FLOOR: 10,807 SF, SECOND FLOOR: 9,060 SF, GROSS BUILDING AREA TOTAL = 19,867 SF, SEE GI-104 FOR COMPLETE BREAKDOWNL CONTINUOUS SPECIAL INSPECTION REQ'D 1. TWO -HOUR RATED WALL SEAL: EMSHIELD WFR2, HBER RENFORCE O' HBERGLASS REINFOR PLASTIC FURRING FURRING GALVANIZED GENERAL GROUND LEVEL GROUND LEVEL GROUND FLOOR GYPSUM BOARD HOGS BIBB HARDWARE NDOOR AR QUALITY MITERIOR DESIGN D. SITE DEVELOPMENT REVIEW NO: SR2010-001 F, VARIANCE NO: 2010-004 DEFERRED SUBMITTALS NOTE TO PLANS EXAMINER 1. FIRE SPRINKLER 3 ADDITIONAL CODE DATA RELATED TO BUILDING AREAS, MIXED OCCUPANCIES, OCCUPANT LOADS, EGRESS AND LIFE SAFETY HAS BEEN PROVIDED ON SHIFFTS GLIDT TO GRADO AREAS ON CLIDTS. GARAGE AREA FIRE SPRINK, ER S NFPA 13 2010 ORDINARY HAZARD GROUP 2 CALCULATED @ 20 DENSITY/2003 SO.FT. FIRE FLOW TEST RESULTS. STATIC PRESSURE 115 PSI RESIDUAL PRESSURE 90 PSI FLOWING 1547.0 GPM. BUILDING CODE ANALYSIS RETAIL BUILDING FIRE SPRINKLER SYSTEM DESIGN CRITE NFPA 13 2010 ORDINARY HAZARD GROUP 2 CALCULATED @ 20 DENSITY/2000 SO FT. FIRE FLOW TEST RESULTS. STATIC PRESSURE 115 PSI RESIDUAL PRESSURE 90 PSI RETAIL BUSINESS/RESTAURANT - 11,987 SF (1ST) + 9,370 (2ND) = 21,357 SF INTERIOR DESIGN INSUE FACE OF STUD INSUEATION INSUEATION BETAL PAREL INTERIOR INTERI TOTAL BUILDING AREA + 76.915 SF PROJECT LOCATION (N.T.S.) 2. FIRE ALARM - DESIGNED IN ACCORDANCE WITH 2010 NFPA 72 3. STEEL STAIRS - SEE DETAILS AT A-518 FOR STAIR CODE REQUIREMENTS - FOR STAIR FABRICATOR 4. PRESTRESSING STEEL DESIGN CALCULATIONS INCLUDING ELONGATION C. NUMBER OF STORIES: 2 (COMMERCIAL BUILDING), 3 (PARKING GARAGE) AND LOSS OF PRESTRESS (ACI 318 SECTION 18.6) E. MINIMUM FIRE RESISTIVE PATINGS (PER CRC TABLE 601 & 602): 5. P.T. STEEL SHOP DRAWINGS 6. P.T. STRAND END ANCHORAGE SHOP DRAWINGS SHEET LEGEND LNDSCP LT GA LV LVR LWC LYR MACH RM MATL MO MECH MEZZ MFD MFR MH MISC MI 7. FLOOR AND ROOF OPEN WEB WOOD TRUSSES SEPARATE PERMIT / PLAN REVIEW 1. GEOPIERS 2. SHORING 3. UNDERGROUND FIRE LINE COPYRIGHT: 2012 STOUTENBOROUGH, INC. 4. TENANT SIGNAGE

WINSTON'S JEWELERS
C/O VBAS PROPERTIES, INC.
1775-B NEWPORT BOULEVARD
COSTA, CA 92827

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www.stoutenboorginic.com

NOT FOR TON CONSTRUCTION PLANNING REVIEW

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

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11-07-12 A VALUE ENGINEERING

TITLE

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GENERAL PROJECT INFORMATION

DATE 1-16-12

SCALE AS NOTED

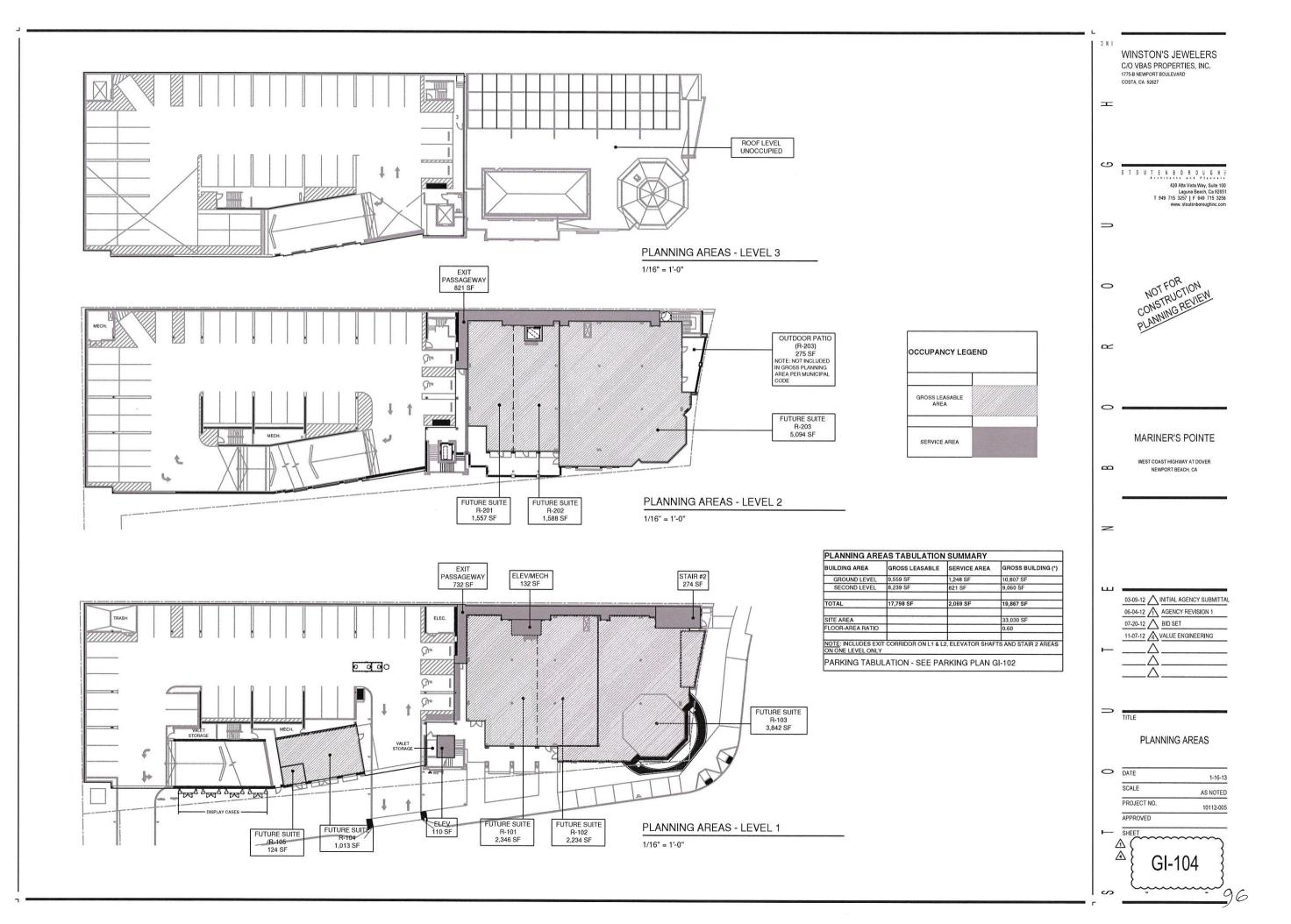
PROJECT NO. 10112-005

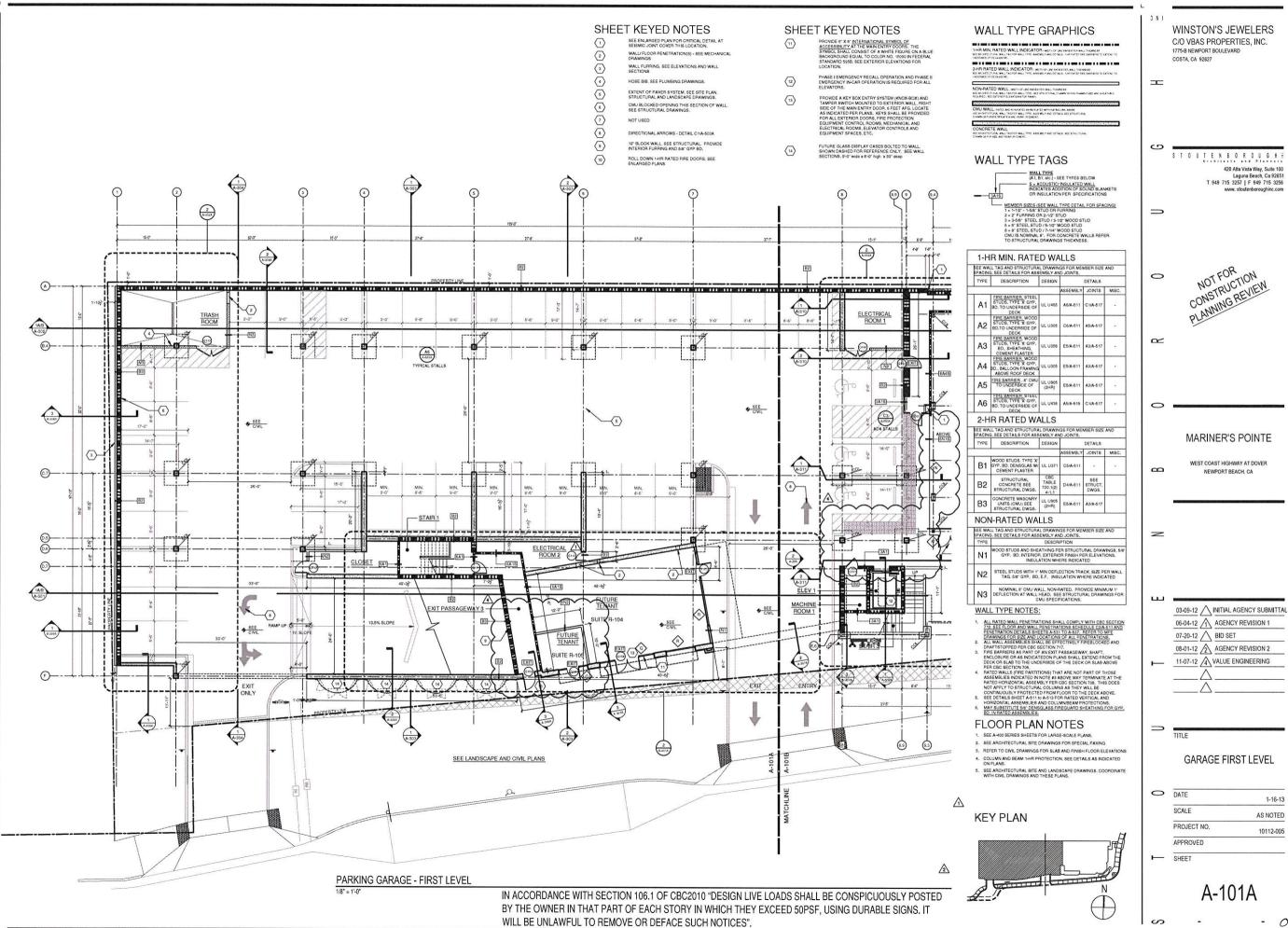
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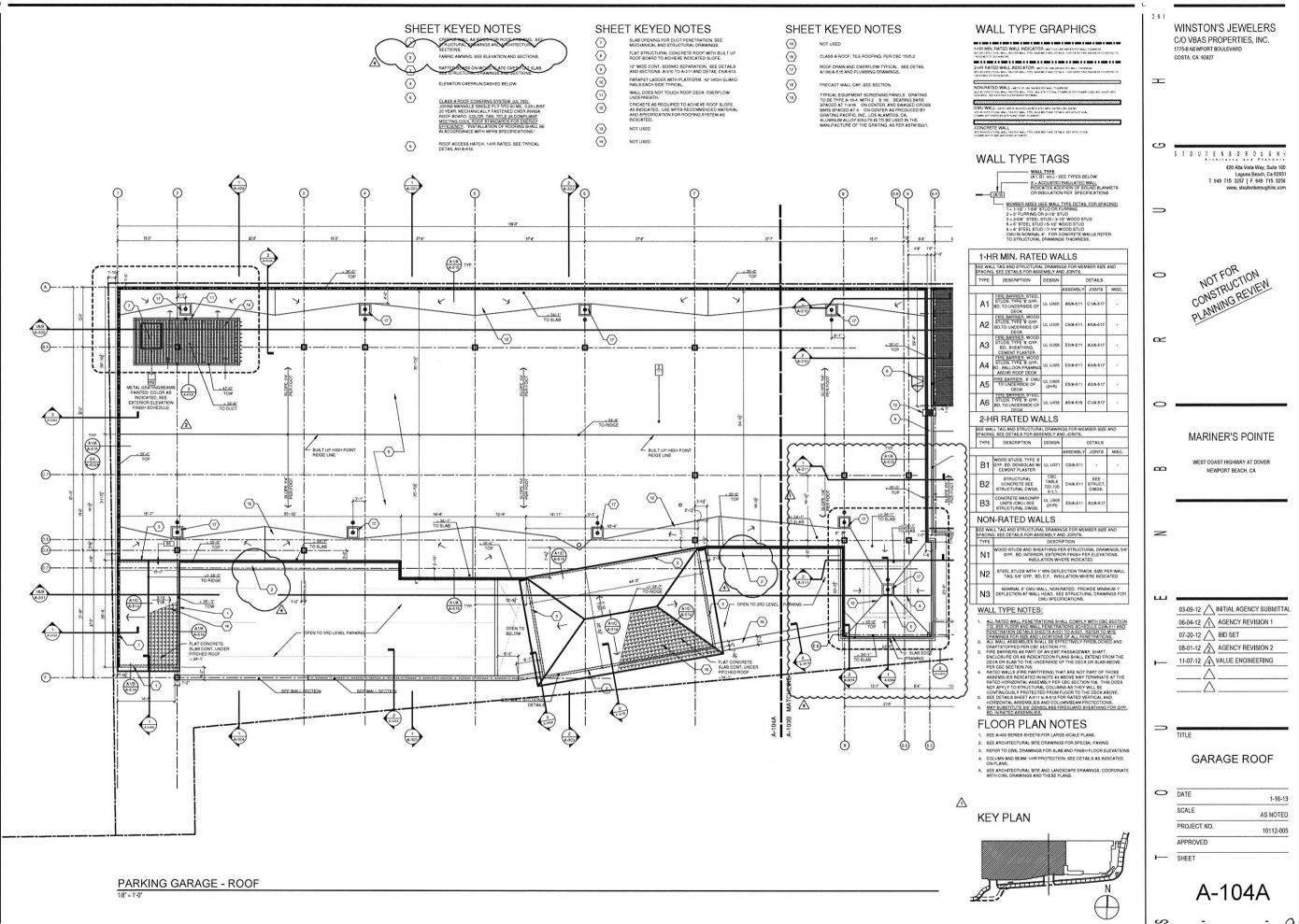
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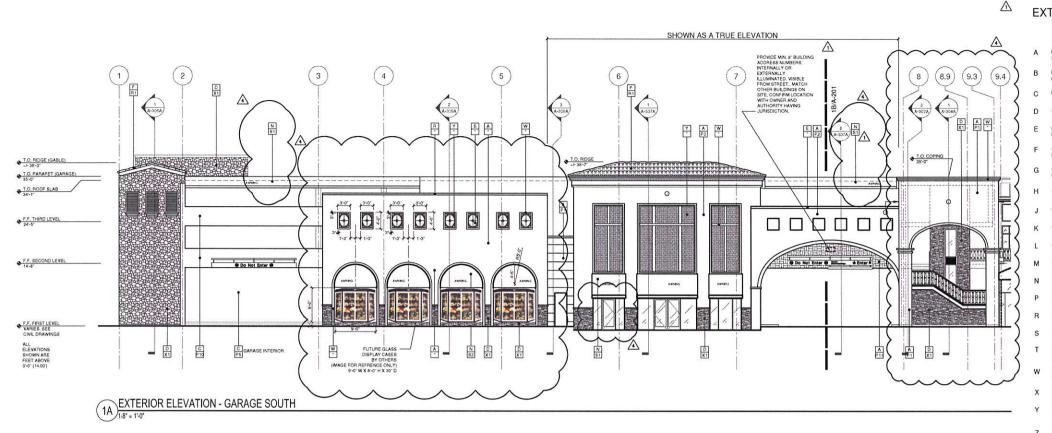
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EXTERIOR FINISH SCHEDULE MATERIAL / ITEM

- EXTERIOR CEMENT PLASTER OMEGA COLORTEK
- EXTERIOR CEMENT PLASTER OMEGA COLORTEK
- STONE VENEER
- PRE-CAST CONCRETE CAP, SURROUND, ETC. SEE DETAIL AS INDICATED
- CLAY ROOF TILE 2 PIECE MISSION CLAY TILES, BORAL

- DECORATIVE METAL SEE DETAILS AS INDICATED
- DECORATIVE PERGOLA/ TRELLIS SEE DETAILS AS INDICATED
- DECORATIVE LIGHT FIXTURE
- DECORATIVE CONTROL JOINT SEE DETAILS AS INDICATED
- FABRIC AWNING BY OTHERS, GC TO PROVIDE SUPPORTS
- DOOR(S) PER SCHEDULE
- PRE-FINISHED METAL COPING/TRIM / FASCIA
- BLACK WALL TILE
- WOOD FRAMING, MOLDING, TRIM, FASCIA ETC. SEE DETAILS AND SECTIONS,
- EPS MOLDING, TRIM WITH SMOOTH FINISH CEMENT PLASTER, SEE DETAILS AND SECTIONS,
- X METAL LOUVER(S) SEE DETAILS AND SECTIONS.
- DECORATIVE METAL, TO BE SELECTED BY ARCHITECT
- TPO ROOFING PER SPECS AND PLAN, COLOR TAN

COLOR / FINISH

- P1 PLASTER COLOR: 56 PEARL GREY

- S3 ABBOTT INDUSTRIES CANVAS, STRIPED #4959 SEE NOTE #1 (COORDINATING)

EXTERIOR ELEVATION NOTES

- EXTERIOR CANOPY MATERIAL, CANOPIES SHALL BE CONSTRUCTED OF A BRIDD FRAMEWORK WITH AN APPROVED COVERING THAT WEETS THE FIFE PROPOCACITION PERFORMANCE WITH MEETS THE FIRE PROPOCACITION PERFORMANCE WITH ASTIME AND CANOPIES THE SHALL BE ADMINISTRATIVE OF THE ANNINGS SHOWNG THAT THE FLAME SPREAD FAITING COMPLIES WITH LEG. C 100-A. HIGH PROPOCACITION OF THE SHALL BE ADMINISTRATIVE OF THE ANNINGS SHOWNG THAT THE FLAME SPREAD FAITING COMPLIES WITH LEG. C 100-A. HIGH PROPOSED SHOWN OF THE SHALL BE ADMINISTRATIVE SHOWN CAN BE ASSUMED TO WRAP AROUND ELEMENT NOICATED ON SIDES AND OPPOSITE SIDE UNLESS OTHERWISE NOT SHOW AND OPPOSITE SIDE UNLES
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 CONTRACTOR SHALL VERIFY ALL EXTERIOR MATERIALS, COLORS.
 AND FINISHES WITH THE ARCHITECT. ANY DISCREPENDIES SHALL
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 STANDARD COLORS. FINISHES ARE ALSO REQUIRED AT
 PORTIONS OF INSIDE FACE OF PARAPETS EXPOSED TO PUBLIC VIEW.

 JBOX FOR EXTERIOR SIGNAGE, SEE ELECTRICAL DRAWINGS.

COSTA CA 92627

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WINSTON'S JEWELERS C/O VBAS PROPERTIES, INC.

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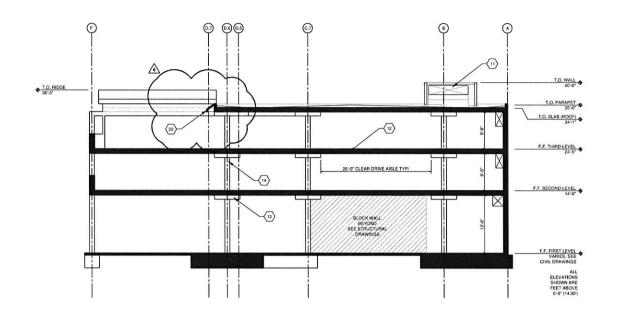
EXTERIOR ELEVATIONS

O DATE 1-16-13 SCALE AS NOTED PROJECT NO. 10112-005 APPROVED ► SHEET

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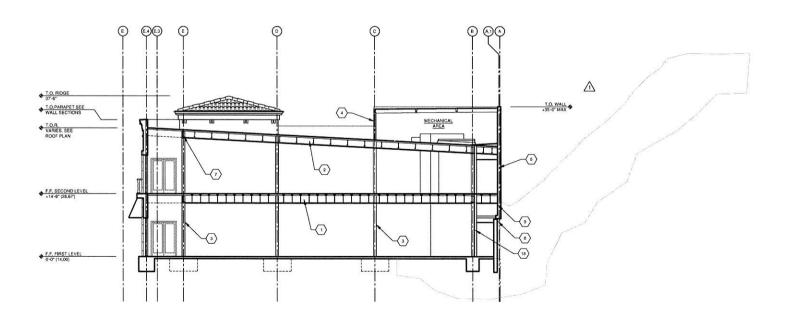
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A-201



BUILDING SECTION - GARAGE

1/8" = 1"-0"



2 BUILDING SECTION - RETAIL

SHEET KEYED NOTES

1 2 3 4 MECHANICAL SCREENING. SEE 1:4-204 FOR ELEVATION. (5) 2-HR RATED EXTERIOR WALL. SEE PLAN WALL TAGS AND WALL ASSEMBLY DETAIL C5: A-511

1-HR RATED ROOF, SEE RATED ASSEMBLY DETAIL B1 / 4-511 AND ROOF PLAN FOR ROOFING SPECIFICATION. 6 1-HR RATED PROTECTION OF ALL BEAMS, SEE FIRE RATED ASSEMBLY DETAIL A-512 7 8 RETAINING WALL. SEE CIVIL AND STRUCTURAL DRAWINGS.

GAP BETWEEN FRAMED WALL AND RETAINING WALL TOP. SEE WALL SECTIONS, EXTERIOR ELEVATIONS AND C1 / A-511 9 14-R RATED VERTICAL SHAFT, SEE PLANS AND MECHANICAL DRAWINGS. (10) GARAGE EXHAUST DUCT ENCLOSURE, SEE ROOF PLAN, ELEVATIONS AND DETAILS. (11) GARAGE FLAT STRUCTURAL CONCRETE POST TENSIONED SLAB. SEE STRUCTURAL DRAWINGS. 12

13 14 STRUCTURAL CONCRETE COLUMN.

SHEAR WALL BEYOND, SEE STRUCTURAL DRAWINGS.

ROOF FRAMED OVER CONCRETE POOF SLAB, SEE PLANS AND WALL SECTIONS. 16 17 PERGOLA, SEE ELEVATIONS, DETAILS AND ROOF PLAN. 1+R INTERIOR WALL TYPICAL, SEE WALL ASSEMBLY TYPES AND DETAILS. 18

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(22)

19 UNOCCUPPIED ATTICE SPACE ACCESS, SEE ROOF PLAN. 20 GARAGE EXHAUST DUCTING, SEE PLANS ANDMECHANICAL DRAWINGS. MAINTAIN CLEARANCES AT PARKING STALLS.

SUSPENDED CEMENT BLACTER CELLING BELOW ON THE AREAS, SEE REFLECTED COLUMN PLAN AND WAY, SPC YOUS.

WINSTON'S JEWELERS C/O VBAS PROPERTIES, INC.

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1775-B NEWPORT BOULEVARD

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NOTFOR NOTFORTON CONSTRUCTION PLANNING REVIEW

MARINER'S POINTE

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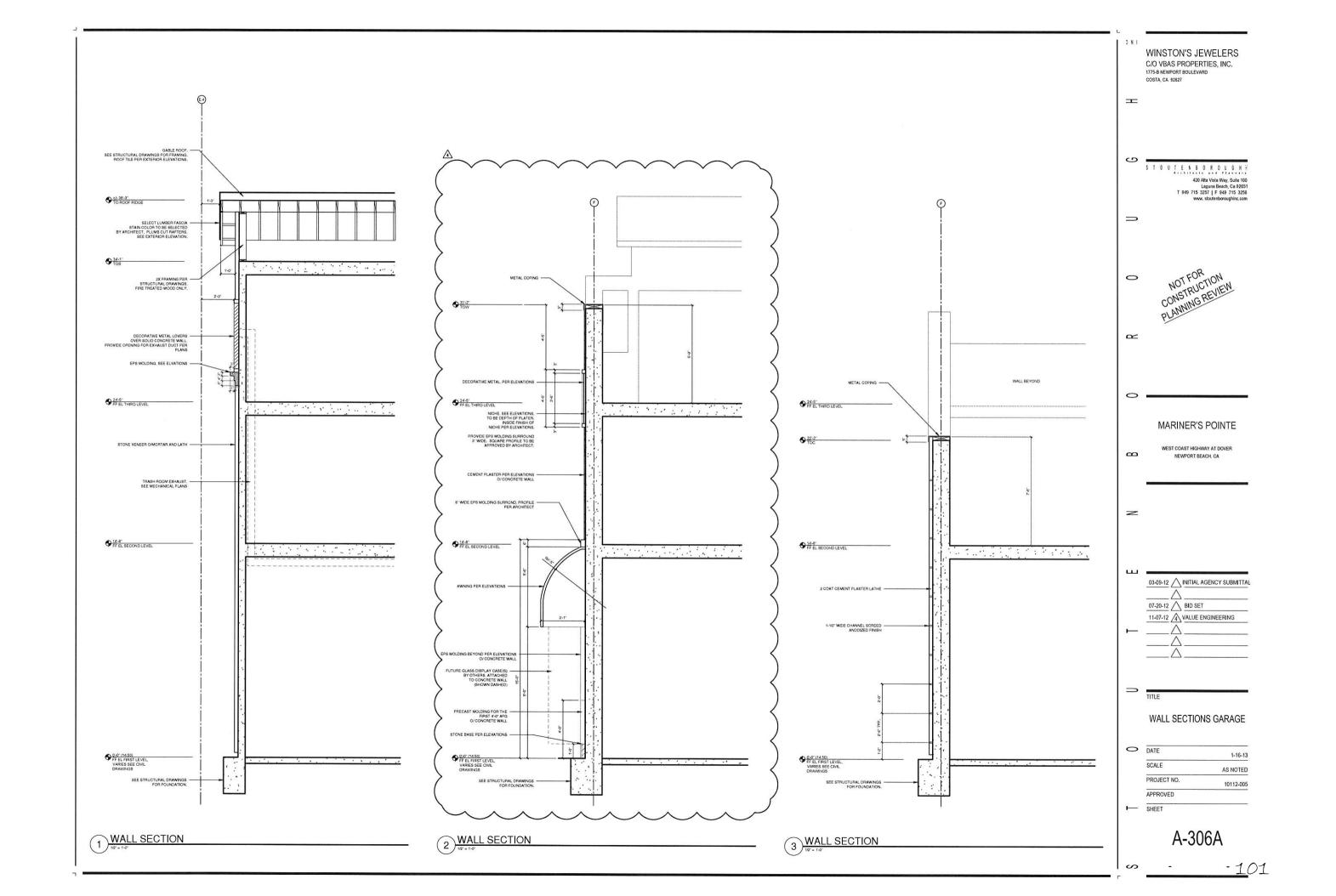
TITLE

BUILDING SECTIONS

O DATE 1-16-13 SCALE AS NOTED PROJECT NO. 10112-005 APPROVED - SHEET \triangle

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A-304



Colored Renderings of Proposed Revisions



December 8, 2012

Mariner's Pointe

West Coast Highway at Dover Newport Beach, CA WINSTON'S JEWELERS c/o VBAS Properties, Inc 18582 Beach Boulevard, Suite 226 Huntington Beach, CA 92648

Architects and Planners
420 Alta Vista Way, Suite 100, Laguna (186) (5), Ca 92651
T 949 715 3257 | F 949 715 3256 | www.stoutenboroughinc.com



Flower Display Cases



Mariner's Pointe

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Huntington Beach, CA 92648

STOUTENBOROUGHEST

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June 7, 2012 Final Approved Landscaping Plan

LANDSCAPE ARCHITECTURAL DRAWINGS for

MARINER'S POINTE

WEST COAST HIGHWAY, at DOVER NEWPORT BEACH, CA

SPECIFIC PLAN NOTES

PROIECT PLAN APPROVED BY SITE PLAN REVIEW # 2009 - 02

GENERAL NOTES:

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO THE START OF CONSTRUCTION.
CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES.

2. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE HELD LIABLE FOR ALL DAMAGE INCURRED DURING CONSTRUCTION.

4. CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL SLEEVES AS INDICATED ON THE IRRIGAPLANS WITH PAYING CONTRACTOR.

5. REFER TO SPECIFICATIONS FOR ACCEPTED STANDARDS OF MATERIALS AND WORKMANSHIP

8. THE LOCATION OF FEATURES TO BE CONSTRUCTED, NOT SPECIFICALLY DIMENSIONED, MAY BE DETERMINED BY SCALE. VERIFY ALL SUCH CONDITIONS WITH OWNERS NOTIFICATION.

9. ALL CURVE-TO-CURVE AND CURVE-TO-TANGENT LINES SHALL BE NEAT, TRIM, SMOOTH, AND UNIFORM IO. ALL CONSTRUCTION AND INSTALLATION OF LANDSCAPE ITEMS SHALL BE PER LOCAL CODES AND ORDINANCES.

12. CONTRACTOR SHALL BE RESPONSIBLE FOR WEED ABATEMENT DURING THE CONTRACTORS

14. IF ANY CONCRETE WORK SHOWN ON THESE PLANS ABUTS WOOD SIDING ON BUILDINGS, INSTALL GALVANIZED METAL FLASHING TO PROTECT WOOD SIDING.

16. ALL DIMENSIONS SHALL BE VERIFIED AGAINST EXISTING CONDITIONS AND ANY DISCREPANCIES REPORTED TO THE OWNERS REPRESENTATIVE.

MAINTENANCE RESPONSIBILTY NOTE:

OWNER WILL BE RESPONSIBLE to MAINTAIN ALL LANDSCAPE AREAS with THE LIMIT of WORK SHOWN on THESE PLANS.

UNDERGROUND SERVICE ALERT

CALL TOLL FREE: I-800-422-4133 TWO WORKING DAYS BEFORE YOU DIG



LC.I

IC2 LC.3 thru LC.4

LI.I

LI.2

LI.4

IP.I

LP.2

LP.3

LP.4

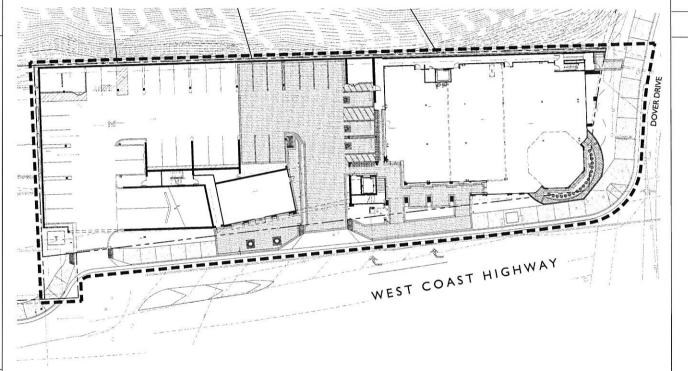
LP.5

ABBREVIATIONS

ARCH.	ARCHITECT	ID	INSIDE DIAMETER
	(ARCHITECTURAL)	INV.	INVERT (ELEVATION)
B.S.	BOTTOM OF STEPS	LA	LANDSCAPE ARCHITECT
C.B.	CATCH BASIN	LP	LOW POINT
C.F.	CURB FACE	MAX.	MAXIMUM
C.J.	COLD JOINT	MIN.	MINIMUM
CL	CENTERLINE	N.I.C.	NOT IN CONTRACT
CMU	CONCRETE MASONRY UNIT	N.T.S.	NOT TO SCALE
C.O.	CLEAN OUT	O.C.	ON CENTER
COMP.	COMPACTED	P.A.	PLANTING AREA
CONC	CONCRETE	PERF.	PERFORATED
CONT.	CONTINUOUS	POC	POINT OF
DIA.	DIAMETER	R	CONNECTION RADIUS
EA.	EACH	REBAR	REINFORCING BAR
EJ .	EXPANSION JOINT	SIM.	SIMILAR
F.F.E.	FINISH FLOOR ELEVATION	S.L.	SCORE LINE
F.G.	FINISH GRADE	SQ.	SQUARE
FOS	FACE OF STRUCTURE	T.C.	TOP OF CURB
FL	FLOW LINE	T.G.	TOP OF GRATE
F.S.	FINISH SURFACE	T.S.	TOP OF STEPS
FTG.	FOOTING	TYP.	TYPICAL
G.C.	GROUND COVER	VERT.	VERTICAL
HORIZ.	HORIZONTAL	W/	WITH
HP	HIGH POINT	W/O	WITHOUT
		W.W.M.	WELDED WIRE MESH

NOTES:

NOTES



VBAS PROPERTIES 18582 BEACH BOULEVARD HUNTINGTON BEACH.CA

CLIENT:

RIDGEWAY DEVELOPMENT 2804 LAFAYETTE AVENUE NEWPORT BEACH, CA 92663 PH: 949.723.5854 CONTACT: TOD RIDGEWAY

OWNER

ANACAL ENGINEERING CO 1900 EAST LA PALMA AVE. SUITE 200 ANAHEIM, CA 92805 PH: 714.774.1763

FAX: 714.774.4690 CONTACT: GLEN GWATNEY

STOUTENBOROUGH INC. 420 ALTA VISTA WAY, SUITE 100 LAGUNA BEACH, CA 92651 PH: 949.715.3257 CONTACT: SEAN MEEHAN / RYAN DAVIS

TILDEN ENGINEERING 26501 RANCHO PARKWAY SUITE 203 LAKE FOREST, CA 92630 PH: 949.421.0144 CONTACT: FARID DINARI

M.E.P.: IDS GROUP Inc.

CIVIL ENGINEER:

STRUCTURAL ENGINEER:

IDS GROUP Inc.
I PETERS CANYON
RD #140
IRVINE, CA
PH: 949.387.8500
CONTACT: MATT WALLER

ELECTRICAL ENGINEER: THE RUZIKA COMPANY 2 EXECUTIVE CIRCLE SUITE 290 IRVINE, CA 92614 PH: 949.253.3479 CONTACT: TOM RUZIKA

MARINER'S POINTE

PROJECT

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

3.26.12 Ist CITY SUBMITTAL

6.04.12 AGENCY REVISION

8.01.12 AGENCY REVISION #2

MJSDesign Group

Landscape Architecture

V.B.A.S. PROPERTIES Inc.

18582 BEACH BOULEVARD HUNTINGTON BEACH, CA 92648

KEY MAP





CONSULTANTS



Drawn By: MJS Checked By: MS Plan Date: AUGUST 1, 2012

TITLE

SHEET

PERMIT/CONSTRUCTION DOCUMENTS

TITLE SHEET

LANDSCAPE CONSTRUCTION PLAN

LANDSCAPE IRRIGATION PLANS

IRRIGATION SPECIFICATIONS

PARKING GARAGE PLANTING PLAN

TREE, VINE and TURF PLANS

PLANTING SPECIFICATIONS

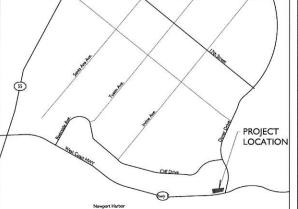
SHEET INDEX

IRRIGATION DETAILS

PLANTING DETAILS

SHRUB PLANS

LANDSCAPE CONSTRUCTION DETAILS

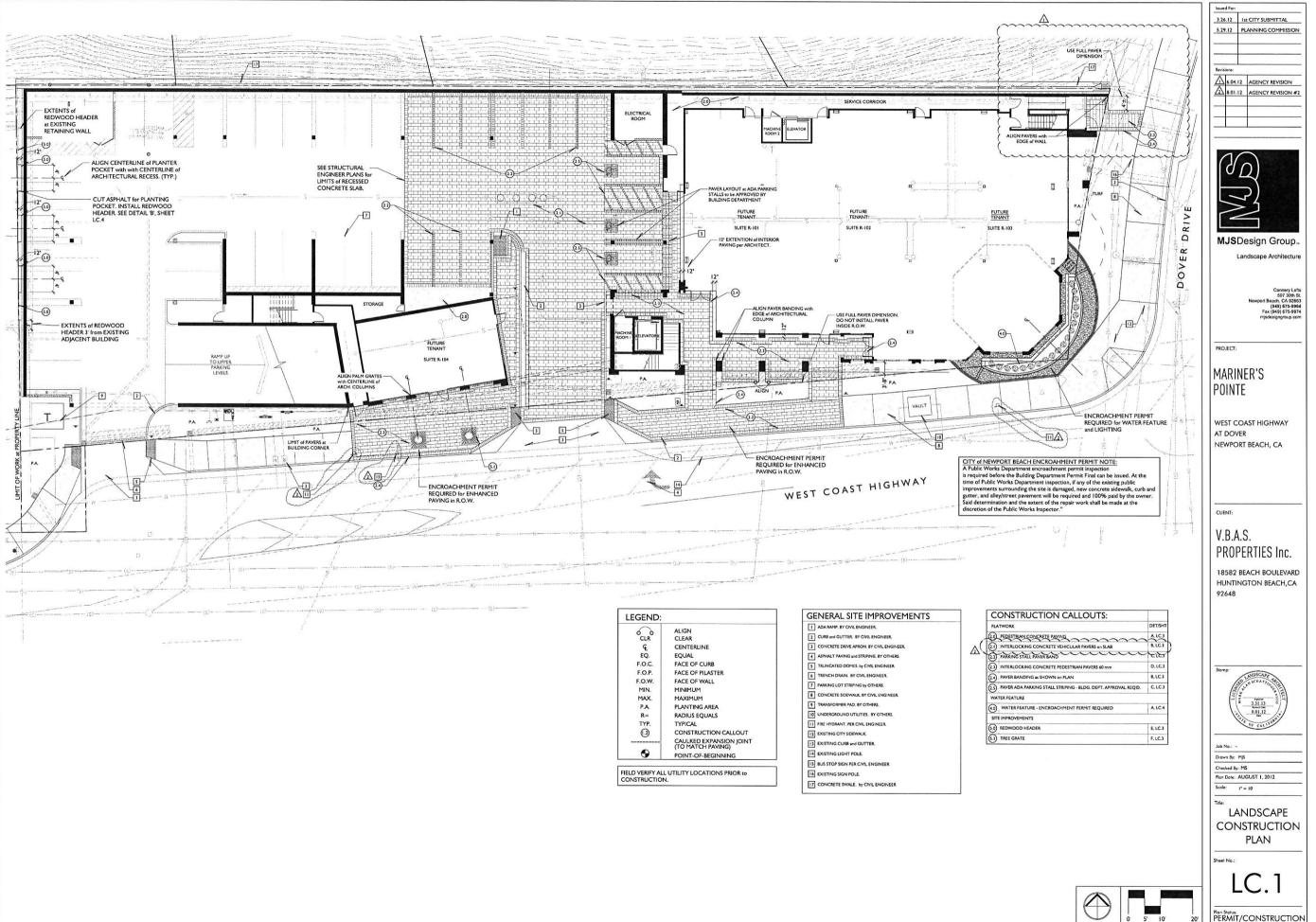


CONSTRUCTION NOTES and FINISH SCHEDULE LANDSCAPE CONSTRUCTION SPECIFICATIONS IRRIGATION LEGEND, NOTES and CALCULATIONS

CITY OF NEWPORT BEACH PLANNING DEPARTMENT 3300 NEWPORT BLVD. BUILDING 'C' NEWPORT BEACH, CA 92663 FAX: 949.644.3229

VICINITY MAP

GOVERNING AGENCIES



DOCUMENTS

NORTH SCALE: I* = 10'

CONSTRUCTION NOTES

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4. THE LOCATION OF FEATURES TO BE CONSTRUCTED, NOT SPECIFICALLY DIMENSIONED MAY BE DETERMINED BY SCALE, VERIFY ALL SUCH CONDITIONS WITH OWNERS REPRESENTATIVE.

S. ALL CURVE-TO-CURVE AND CURVE-TO-TANGENT LINES SHALL BE NEAT, TRIM, SMOOTH, AND UNIFORM.

6. CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL SLEEVES AS INDICATED ON THE IRRIGATION PLANS WITH PAYING CONTRACTOR.

7. ALL FORMS AND ALIGNMENT OF HARDSCAPE ITEMS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PROR TO POURING. (CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT A MINIMUM OF 8 HOULD PRIOR TO THE INSPECTION.)

PAVER NOTES:

I. PAVER SHALL BE CLEAN AND FREE FROM FOREIGN MATERIALS BEFORE INSTALLATION.

2. INSTALLATION SHOULD START FROM A CORNER OR STRAIGHT EDGE AND PROCEED FORWARD OVER THE UNDISTURBED SAND LAYING COURSE.

3. PAVING WORK SHALL BE PLUMB, LEVEL, AND TRUE TO LINE GRADE; SHALL BE INSTALLED PROPERLY, COINCIDE AND ALIGN, WITH ADJACENT WORK AND ELEVATIONS.

4. PAVING STONES SHOULD BE INSTALLED HAND TIGHT ON THE UNDISTURBED SAND LAYING COURSE. STRING LINES SHOULD BE USED TO HOLD PATTERN LINES TRUE.

S. GAPS BETWEEN THE EDGE OF THE PAVER SURFACE SHALL BE FILLED WITH STANDARD PAVERS OR WITH PAVERS CUT TO FIT. CUT PAVERS SHOULD BE NO SHALLER THAN ONE THIRD THE SIZE OF FULL PAVERS. CARE SHOULD BE TAKEN WHEN ESTABLISHING THE LAYING PATTERN TO INSURE THAT LESS THAN ONE THIRD PAVERS ARE MINIMIZED.

6. PAVERS ARE SET INTO THE SAND LAYING COURSE BY ROLLER OR PLATE VIBRATOR CAPABLE OF 3 000 TO 5,000 COMPACTION FORCE. VIBRATION SHALL BE CONDUCTED IN CROSSING PATHS UNTIL THE PAYEMENT SURFACE IS SMOOTH AND REQUIRED ELEVATION IS ACHIEVED. GAPS BETWEEN PAYERS SHOULD AT THIS POINT SHOULD BE FILLED TO ABOUT TWO THIRDS OF THE PAYER'S FULL HEIGHT SHOULD AT THIS POINT SHOULD BE NO MORE THAN 3/16' WIDE AFTER VIBRATION, CAPS GREATER
THAN 3/16' SUGGEST THAT LESS THAN SATISFACTORY INTERLOCK WILL BE ACHIEVED, PAVERS WITHIN
THREE FEET OF UNRESTRAINED EDGES MUST NOT BE COMPACTED.

7. ONCE PAVERS ARE VIBRATED INTO PLACE. CLEAN, DRY SAND SHALL BE BROOMED OVER THE PAVEMENT SUBFACE AND VIBRATED ONCE MORE INTO THE REMAINING UNFILLED GAPS BETWEEN PAVERS TO THE HEIGHT OF THE JOINT BEVEL SURPLUS SAND SHOULD BE SWEPT FROM THE PAVEMEN SURFACE AND DISPOSED OF.

8. THE COMPLETED PAVING STONE INSTALLATION SHOULD BE WASHED DOWN AND CLEANED TO PROVIDE A CLEAN FINISHED WORKMANLIKE INSTALLATION.

LIST OF INSPECTIONS

THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE 48 HOURS IN ADVANCE OF, AND COORDINATE, THE FOLLOWING INSPECTIONS (BUT NOT LIMITED TO):

2. AT COMPLETION OF FINISH GRADING.

3. LAYOUT OF SHOVEL CUTS BUT PRIOR TO INSTALLATION.

4. LAYOUT OF PAVING BUT PRIOR TO INSTALLATION.

5. LAYOUT OF WALLS AND PILASTERS BUT PRIOR TO INSTALLATION.

6. DURING ENTIRE IRRIGATION INSTALLATION TO VERIFY AND INSPECT THE FOLLOWING (BUT NOT LIMITED TO):

POINT OF CONNECTIONS

b. BACKFLOW PREVENTION DEVICES c. TRENCHING FOR PIPES d. ELECTRICAL CONNECTIONS

. CONTROL VALVES . COVERAGE

AT DELIVERY OF ALL PLANT MATERIALS TO THE SITE.

B. WHEN TREES AND SHRUBS ARE SPACED FOR PLANTING BUT BEFORE HOLES ARE EXCAVATED.

9 AT PRE-MAINTENANCE INSPECTION

10. AT FINAL INSPECTION

CONCRETE PAVING NOTES

. THE CONTRACTOR SHALL VERIFY WITH PROJECT STRUCTURAL SOILS ENGINEER THE NEED FOR REINFORCING, BASE MATERIALS, PRESATURATION, AND OTHER REQUIREMENTS FOR PAVING AREAS,

2. ALL CONCRETE PAVING SECTIONS SHALL BE A MINIMUM OF 3 1/4" THICK UNLESS OTHERWISE NOTED.

3. PAYING AND CONCRETE CONTRACTOR(5) SHALL COORDINATE HIS WORK WITH ELECTRICIAN, DRAIN LINE CONTRACTOR AND IRRIGATION CONTRACTOR FOR SLEEVING, PIPING, AND CONDUIT UNDER ALL PAYING AS REQUIRED.

4. THE CONTRACTOR SHALL HOLD FINISH GRADE (I") INCH BELOW FINISH SURFACE.

5. THE CONTRACTOR SHALL SLOPE ALL FINISH SURFACE AREAS A MINIMUM OF ONE PERCENT, UNLESS NOTED OTHERWISE.

. ALL WALKS SHALL HAVE CROSS FALL OF ONE PERCENT MINIMUM.

9. ALL RADII AT WALK INTERSECTIONS SHALL BE 36" UNLESS NOTED OTHERWISE.

10. FULL DEPTH EXPANSION JOINTS ARE TO BE SPACED AT MAXIMUM 20' O.C., SCORE LINES TO BE MAXIMUM 10

11. ALL FORMS AND ALIGNMENT OF PAYING SHALL BE INSPECTED AND CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT A MINIMUM OF 48 HOURS PRIOR TO INSPECTION.

12. REFER TO PRECISE GRADING PLAN FOR FINISH GRADES AND DRAINAG

FOUNTAIN NOTES

THE FOUNTAIN KIT SHALL BE INSTALLED IN CONFORMANCE WITH GOVERNING CODES AND ORDINANCES, ND MANUFACTURERS SPECIFICATIONS AND INSTRUCTIONS.

2. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL SPECIFIED EQUIPMENT

3. THE CONTRACTOR SHALL CLEAN, SERVICE AND MAINTAIN THE FOUNTAIN AND EQUIPMENT FOR A MINIM OF 60 DAYS.

4. THE CONTRACTOR SHALL PROVIDE OWNER/DEVELOPER OR H.O.A. WITH ALL SERVICE MANUALS, CATALOGS, ETC. FOR EQUIPMENT PROVIDED AND INSTALLED.

SUPPLIER:

EEVING AND SERVICE PROVISIONS SHALL BE COORDINATED WITH ALL OTHER APPROPRIATE CONTRACTOR

SYMBOL	ITEM	MANUFACTURER/SUPPLIER	COLOR	FINISH	COMMENTS
FLATWORK					
20	NATURAL GRAY CONCRETE PAVING with SAW CUTS PER PLAN	N/A	NATURAL GRAY	'ACID ETCH' (SEE COMMENTS)	APPLY TOPCAST WASH RETARDER (03 ACID ETCH FINISH) AVAILABLE THRU GRACE CONST. PRODUCTS OR EQUAL 877-423-44 WITH MATTE IMPREGNATING SEALER CONTRACTOR TO PROVIDE CUT SHEET TO LA. FOR APPROVAL
0)U	FIELD: COMBO-STONE 5 PIECE 60mm at PEDESTRIAN 5 PIECE 80mm at VEHICULAR BANDING: 6" x 12" PAVER BANDING	ACKERSTONE CONTACT: MIKE MILLARD 949.241,6669	COLORS (FIELD): TALEGA BLEND - FACE MIX PAVER BANDING: COLOR: MOCHA	NO CHAMFER LIGHT SHOT BLAST NO CHAMFER LIGHT SHOT BLAST	PATTERN: RANDOM ASHLAR for FIELD FLAT TOPINO CHAMFER INSTALL CLASS RAND BASE SAND SET SEA. WITH SURBOND SB 1300 OR EQUAL JOINT SAND-LOGICAL RESOURCE POLYMERIC OR EQUAL
3 3	ADA PARKING STALL PAVER KIT 48° x 48° x 80mm	ACKERSTONE CONTACT: MIKE MILLARD 949:241.6669	SEE DETAIL 'C', SHEET LC.3	NO CHAMFER LIGHT SHOT BLAST	PATTERN: SEE DETAIL'C, SHEET LC.3 FLAT TOPNOC CHAPIFER INSTALL CLASS ROAD BASE SAND SET SEAL WITH SURBOND SB 1300 OR EQUAL JOINT SAND-LOGICAL RESOURCE POLYMERIC OR EQUAL
(3)	4" x 4" x 80mm COMBO STONE STANDARD STALL STRIPING BAND	ACKERSTONE CONTACT: MIKE MILLARD 949:241.6669	SIZE: 4" x 4" (COMBO STONE) THICKNESS: 80mm COLOR: MOCHA	NO CHAMFER LIGHT SHOT BLAST	PATTERN: SEE DETAIL "C, SHEET LC.3 FLAT TORNIO CHAMFER INSTAL LCASS ROAD BASE SAND SET SEAW WITH SURBOND SE 1300 OR EQUAL JOINT SAND-LOGICAL RESOURCE POLYMERIC OR EQUAL
SITE FURNISH	HINGS				
4 9	METAL TREE GRATE KEVA 5' x 5'	URBAN ACCESSORIES 877.487.0488 AVAILABLE THRU: RECREATION REPUBLIC CONTACT: SUZANNE ANDERSON 760.846.1980	CAST IRON	RAW CAST IRON	

3.26	.12	Is	CITY SUBMITTAL
5.29	.12	PL	ANNING COMMISSION
Revisi	ons:	2	AGENCY REVISION
Δ	8.01.1	2	AGENCY REVISION #2



PROJECT:

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

V.B.A.S. PROPERTIES Inc.

HUNTINGTON BEACH, CA 92648



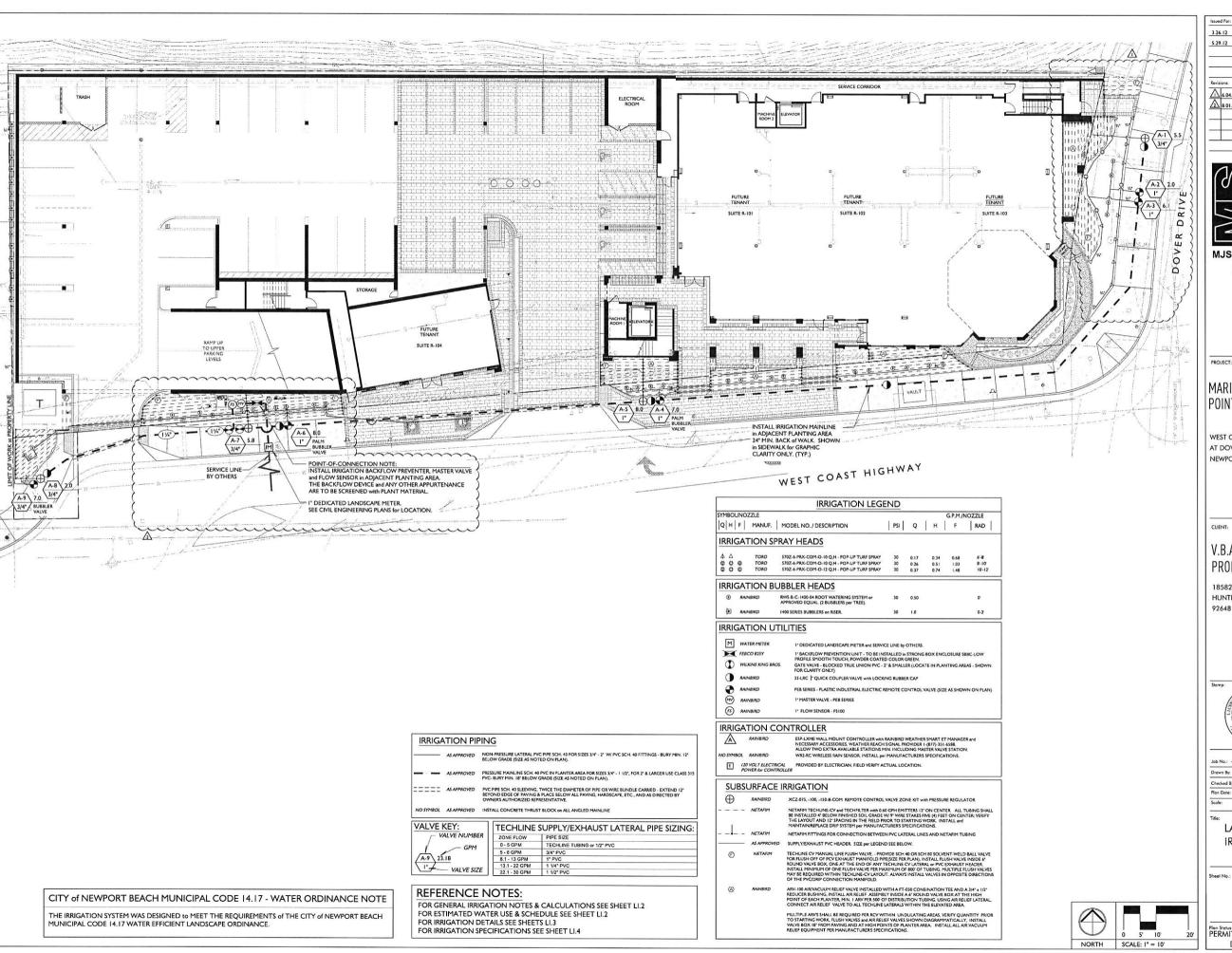
Drawn By: MJS

Plan Date: AUGUST 1, 2012

CONSTRUCTION NOTES and FINISH SCHEDULE

PERMIT/CONSTRUCTION DOCUMENTS

FINISH SCHEDULE



3.26.12 Ist CITY SUBMITTAL 5.29.12 PLANNING COMMISSION 6.04.12 AGENCY REVISION

8.01.12 AGENCY REVISION #2



MJSDesign Group... Landscape Architecture

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

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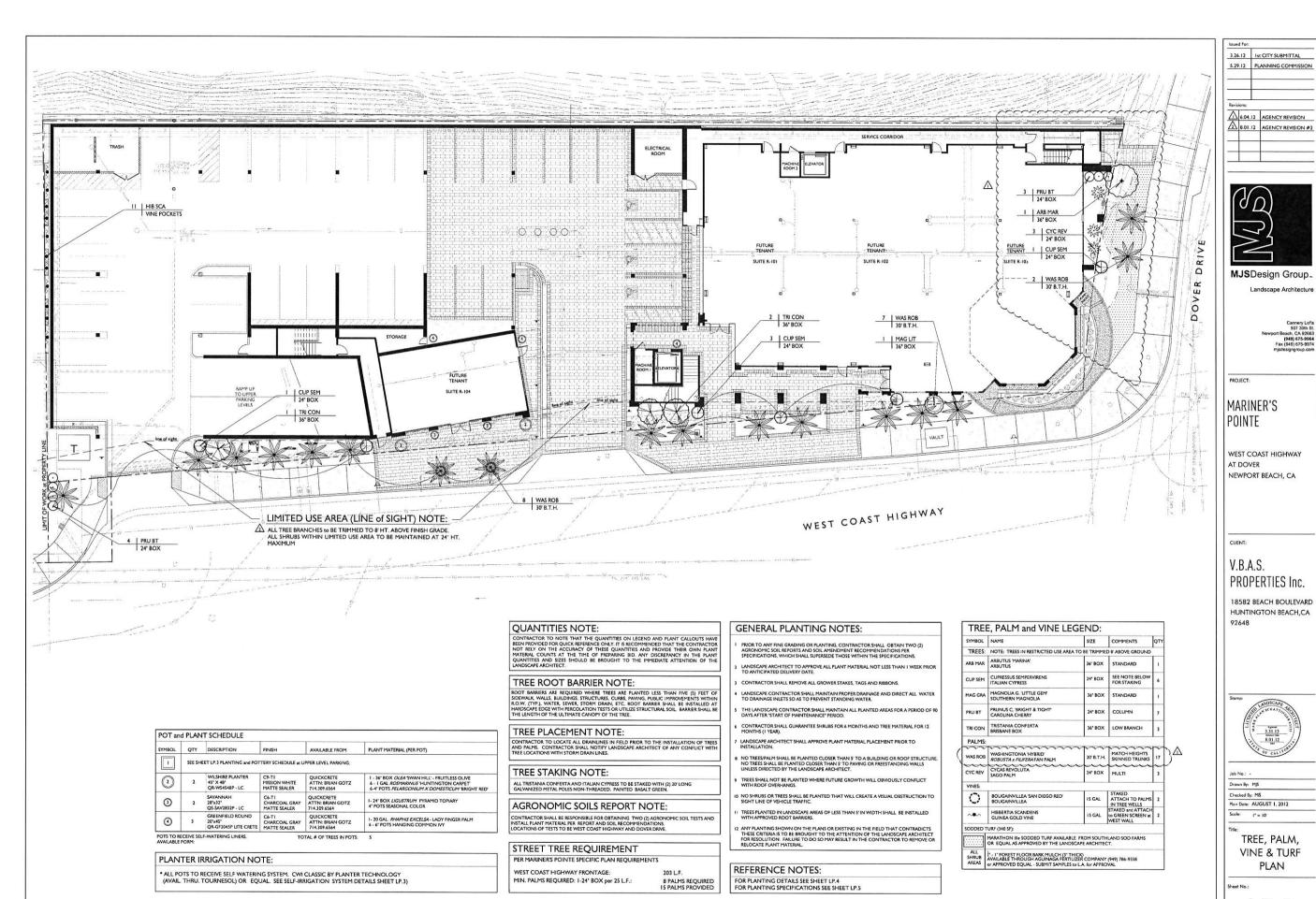
18582 BEACH BOULEVARD HUNTINGTON BEACH, CA 92648



Drawn By: MJS Checked By: MS Plon Date: AUGUST 1, 2012 Scale: 1* = 10'

LANDSCAPE IRRIGATION PLAN

Plon Status: PERMIT/CONSTRUCTION DOCUMENTS



LIMITED USE AREA (LINE of SIGHT) NOTE:

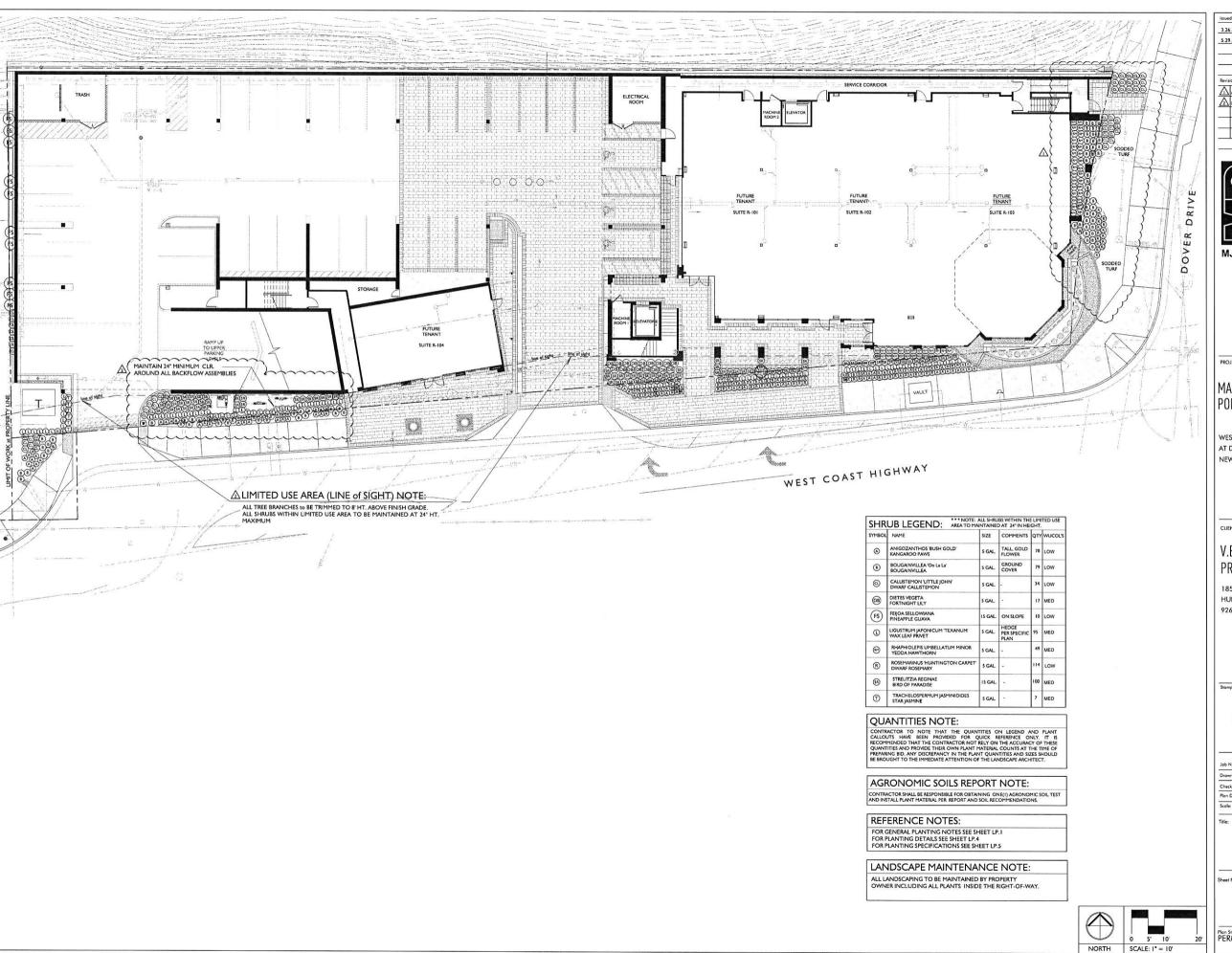
ALL TREE BRANCHES to BE TRIMMED TO 8' HT. ABOVE FINISH GRADE. ALL SHRUBS WITHIN LIMITED USE AREA TO BE MAINTAINED AT 24" HT. MAXIMUM.

LANDSCAPE MAINTENANCE NOTE:

ALL LANDSCAPING TO BE MAINTAINED BY PROPERTY OWNER INCLUDING ALL PLANTS INSIDE THE RIGHT-OF-WAY.

NORTH SCALE: I" = 10'

LP.1 Plan Status: PERMIT/CONSTRUCTION DOCUMENTS



3.26.12 Ist CITY SUBMITTAL 5.29.12 PLANNING COMMISSION 6.04.12 AGENCY REVISION
8.01.12 AGENCY REVISION #2



MJSDesign Group. Landscape Architecture

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

CLIENT:

V.B.A.S. PROPERTIES Inc.

18582 BEACH BOULEVARD HUNTINGTON BEACH, CA 92648



Checked By: MS Plan Date: AUGUST 1, 2012 Scale: 1* = 10*

SHRUB PLANTING PLAN

LP.2

Plan Status: PERMIT/CONSTRUCTION DOCUMENTS

Attachment No. PC 10

Proposed Revisions to Landscape Plan

LANDSCAPE ARCHITECTURAL DRAWINGS for

MARINER'S POINTE

WEST COAST HIGHWAY, at DOVER NEWPORT BEACH, CA

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PROJECT PLAN APPROVED BY SITE PLAN REVIEW # 2009 - 02

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7. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AND/OR GRADE DIFF WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST HT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE INTERBUTELY BE RESULTED ATTENTION OF THE OWNERS AUTHORIZED BEFRESENTATIVE. THE CONTRACTOR SHALL ASSUL RESPONSIBILITY FOR ALL NECESSANT REVISIONS DUE TO FAILURE TO GRE SUCH NOTIFICATION.

9. ALL CURVE-TO-CURVE AND CURVE-TO-TANGENT LINES SHALL BE NEAT TRIM SMOOTH, AND LINIFORM

14. IF ANY CONCRETE WORK SHOWN ON THESE PLANS ABUTS WOOD SIDING ON BUILDINGS, INSTALL GALVANIZED METAL FLASHING TO PROTECT WOOD SIDING.

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16. ALL DIMENSIONS SHALL BE VERIFIED AGAINST EXISTING CONDITIONS AND ANY DISCREPANCIES REPORTED

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LC.I

LC.5

LI.I

LI.2 LI.3

LI.4

LP.I

LP.2

IP3

LP.4

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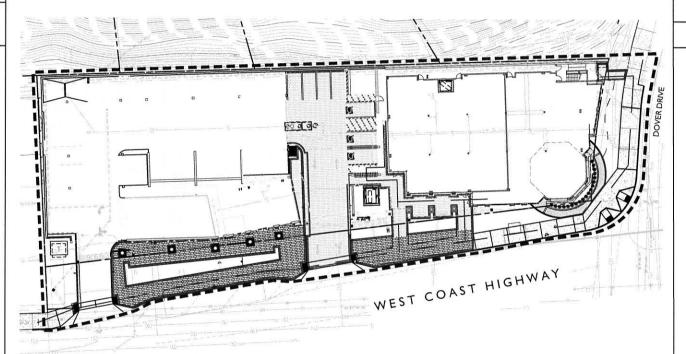
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NOTES:

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OWNER-

VBAS PROPERTIES 18582 BEACH BOULEVARD

CLIENT:

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OWNER

CIVIL ENGINEER:

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ARCHITECT: STOUTENBOROLIGH INC 420 ALTA VISTA WAY, SUITE 100

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CUENT:

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MARINER'S

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

POINTE

3.26.12 Ist CITY SUBMITTAL 5.29.12 PLANNING COMMISSION 12.10.12 PLANNING COMMISSION

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MJSDesign Group,

18582 REACH ROULEVARD HUNTINGTON BEACH, CA

KEY MAP

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IRRIGATION SPECIFICATIONS

PLANTING SPECIFICATIONS

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POTTERY PLANTING PLAN LEVEL 3

IRRIGATION DETAILS

PLANTING DETAILS

SHRUB PLAN

LANDSCAPE CONSTRUCTION DETAILS





CONSULTANTS



Drawn By: MJS Checked By: MS Plan Date: JANUARY 16, 2013

> TITLE SHEET

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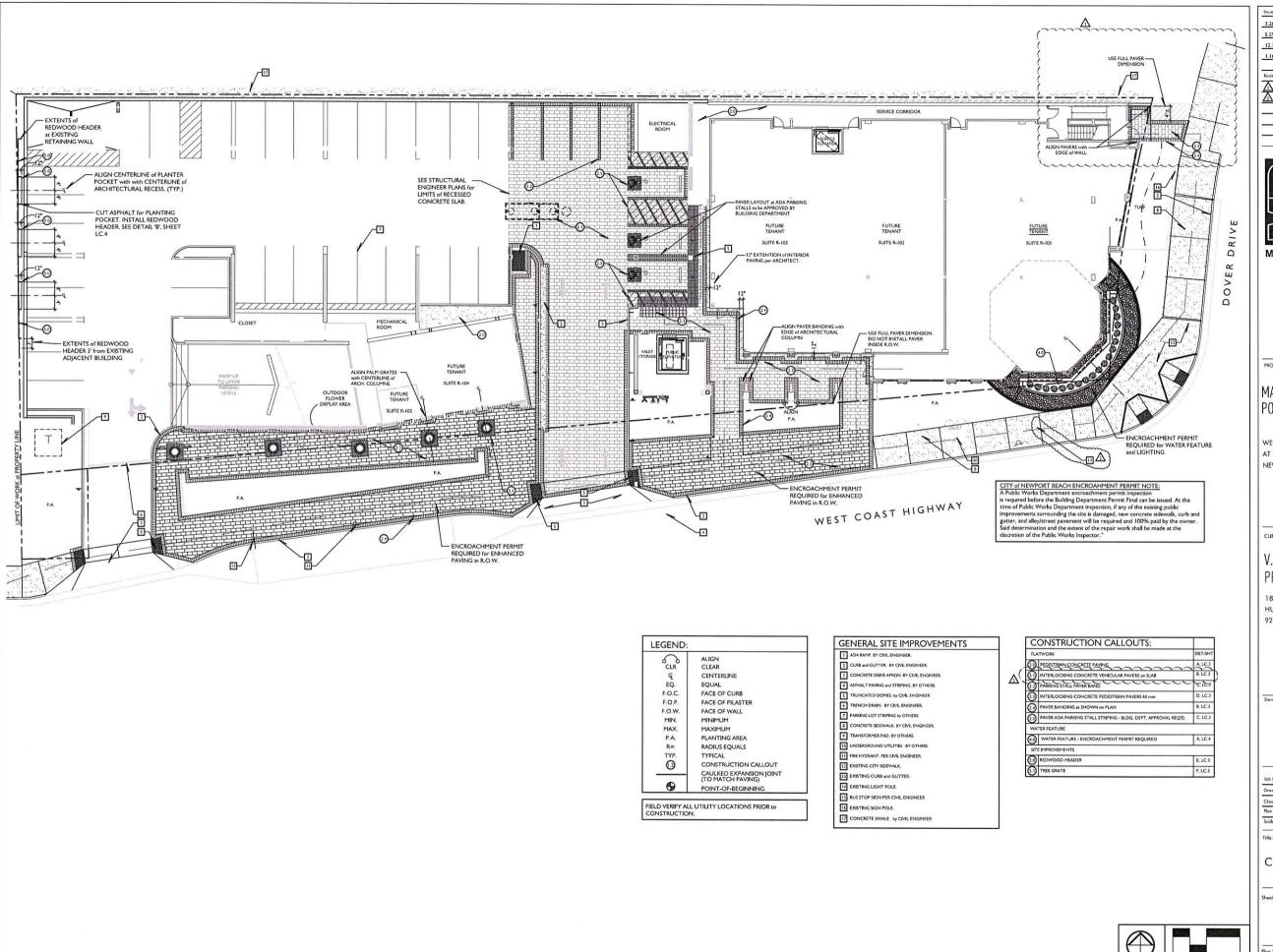
PROJECT

CITY OF NEWPORT BEACH PLANNING DEPARTMENT 3300 NEWPORT BLVD. BUILDING 'C' PH: 949.644.3200 FAX: 949.644.3229

NOT TO SCALE

VICINITY MAP

GOVERNING AGENCIES



Drawn By: MJS Checked By: MS Plan Date: JANUARY 16, 2013 Scale: 1* = 10"

LANDSCAPE CONSTRUCTION **PLAN**

NORTH SCALE: I* = 10'

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PAVER NOTES:

- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES.
- 2. CONTRACTOR SHALL NOT WILFULLY PROCEED WITH CONSTRUCTION WHEN IT IS OBVIOUS THAT UNINOWN OBSTRUCTIONS AND JOR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE MHEDIATELY BROUGHT TO THE ATTENTION OF THE OWNERS AUTHORIZED REPRESENTATIVE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATIONS.
- 3. CONTRACTOR SHALL OBTAIN A CURRENT STRUCTURAL SOILS REPORT. THIS SOILS REPORT SHALL SUPERSEDE THE RECOMMENDATIONS AND DETAILS SHOWN ON THESE PLANS AND SPECIFICATIONS.
- 4. THE LOCATION OF FEATURES TO BE CONSTRUCTED, NOT SPECIFICALLY DIMENSIONED MAY BE DETERMINED BY SCALE. VERIFY ALL SUCH CONDITIONS WITH OWNER'S REPRESENTATIVE.
- 5. ALL CURVE-TO-CURVE AND CURVE-TO-TANGENT LINES SHALL BE NEAT, TRIM, SMOOTH, AND UNIFORM
- 6. CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL SLEEVES AS INDICATED ON THE IRRIGATION PLANS WITH PAVING CONTRACTOR.
- 7. ALL FORMS AND ALIGNMENT OF HARDSCAPE ITEMS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO POURING. (CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT A MINIMUM OF 48 HOURS PRIOR TO THE INSPECTION.)

2. INSTALLATION SHOULD START FROM A CORNER OR STRAIGHT EDGE AND PROCEED FORWARD OVER THE UNDISTURBED SAND LAYING COURSE.

4. PAVING STONES SHOULD BE INSTALLED HAND TIGHT ON THE UNDISTURBED SAND LAYING COURSE. STRING LINES SHOULD BE USED TO HOLD PATTERN LINES TRUE.

3. PAVING WORK SHALL BE PLUMB, LEVEL, AND TRUE TO LINE GRADE; SHALL BE INSTALLED PROPERLY, COINCIDE AND ALIGN, WITH ADJACENT WORK AND ELEVATIONS.

5. GAPS BETWEEN THE EDGE OF THE PAVER SURFACE SHALL BE FILLED WITH STANDARD PAVERS OR WITH PAVERS CUT TO FIT. CUT PAVERS SHOULD BE NO SMALLER THAN ONE THIRD THE SIZE OF FULL PAVERS. CARE SHOULD BE TAKEN WHEN ESTABLISHING THE LAYING PATTERN TO INSURE THAT LESS THAN ONE THIRD PAVERS ARE MINIMIZED.

6. PAVERS ARE SET INTO THE SAND LAYING COURSE BY ROLLER OR PLATE VIBRATOR CAPABLE OF 3 000 6. PAYERS ARE SET INTO THE SAND LAYING COURSE BY ROLLER OR PLATE VIBRATOR CAPABLE OF 3,000 TO 5,000 COMPACTION FORCE. VIBRATION SHALL BE CONDUCTED IN CROSSING PATHS UNTIL THE PAYEMENT SURFACE IS SHOOTH AND REQUIRED ELEVATION IS ACHIEVED. CAPS BETWEEN PAYERS SHOULD AT THIS POINT SHOULD BE FILLED TO ABOUT TWO THIRDS OF THE PAYERS FULL HEIGHT. CAPS BETWEEN EDGES SHOULD BE NO HORE THAN 3/16" WIDE AFTER VIBRATION. CAPS GREATER THAN 3/16" SUGGEST THAT LESS THAN SATISFACTORY INTERLOCK WILL BE ACHIEVED. PAYERS WITHIN THREE FEET OF UNRESTRAINED EDGES MUST NOT BE COMPACTED.

7. ONCE PAVERS ARE VIBRATED INTO PLACE. CLEAN, DRY SAND SHALL BE BROOMED OVER THE PAVEMENT SURFACE AND VIBRATED ONCE MORE INTO THE REMAINING UNFILLED GAPS BETWEEN PAVERS TO THE HEIGHT OF THE JOINT BEVEL. SURPLUS SAND SHOULD BE SWEPT FROM THE PAVEMEN SURFACE AND DISPOSED OF.

8. THE COMPLETED PAYING STONE INSTALLATION SHOULD BE WASHED DOWN AND CLEANED TO PROVIDE A CLEAN FINISHED WORKMANLIKE INSTALLATION.

LIST OF INSPECTIONS

THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE 48 HOURS IN ADVANCE OF, AND COORDINATE, THE FOLLOWING INSPECTIONS (BUT NOT LIMITED TO):

- 2. AT COMPLETION OF FINISH GRADING.
- 3. LAYOUT OF SHOVEL CUTS BUT PRIOR TO INSTALLATION.
- 4. LAYOUT OF PAVING BUT PRIOR TO INSTALLATION
- S. LAYOUT OF WALLS AND PILASTERS BUT PRIOR TO INSTALLATION.
- . DURING ENTIRE IRRIGATION INSTALLATION TO VERIFY AND INSPECT THE FOLLOWING (BUT NOT LIMITED TO

- d ELECTRICAL CONNECTIONS
- e. CONTROL VALVES f. COVERAGE
- 7. AT DELIVERY OF ALL PLANT MATERIALS TO THE SITE.
- 8. WHEN TREES AND SHRUBS ARE SPACED FOR PLANTING BUT BEFORE HOLES ARE EXCAVATED.
- 9. AT PRE-MAINTENANCE INSPECTION.
- 10. AT FINAL INSPECTION

CONCRETE PAVING NOTES

- I. THE CONTRACTOR SHALL VERIFY WITH PROJECT STRUCTURAL SOILS ENGINEER THE NEED FOR REINFORCING BASE MATERIALS, PRESATURATION, AND OTHER REQUIREMENTS FOR PAVING AREAS.
- 2. ALL CONCRETE PAYING SECTIONS SHALL BE A MINIMUM OF 3 1/4" THICK UNLESS OTHERWISE NOTED
- 3. PAYING AND CONCRETE CONTRACTOR(5) SHALL COORDINATE HIS WORK WITH ELECTRICIAN, DRAIN LINE CONTRACTOR AND IRRIGATION CONTRACTOR FOR SLEEVING, PIPING, AND CONDUIT UNDER ALL PAYING AS REQUIRED.
- 4. THE CONTRACTOR SHALL HOLD FINISH GRADE (1°) INCH BELOW FINISH SURFACE.
- S. THE CONTRACTOR SHALL SLOPE ALL FINISH SURFACE AREAS A MINIMUM OF ONE PERCENT. UNLESS NOTED OTHERWISE.

- 9. ALL RADII AT WALK INTERSECTIONS SHALL BE 36" UNLESS NOTED OTHERWISE.
- 10. FULL DEPTH EXPANSION JOINTS ARE TO BE SPACED AT MAXIMUM 20' O.C., SCORE LINES TO BE MAXIMUM 10 O.C.
- I. ALL FORMS AND ALIGNMENT OF PAVING SHALL BE INSPECTED AND CONTRACTOR SHALL NOTIFY ANDSCAPE ARCHITECT A MINIMUM OF 48 HOURS PRIOR TO INSPECTION.
- 2. REFER TO PRECISE GRADING PLAN FOR FINISH GRADES AND DRAINAGE.

- . THE FOUNTAIN KIT SHALL BE INSTALLED IN CONFORMANCE WITH GOVERNING CODES AND ORDINANCES AND MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS.
- THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL SPECIFIED EQUIPMENT.
- 3. THE CONTRACTOR SHALL CLEAN, SERVICE AND MAINTAIN THE FOUNTAIN AND EQUIPMENT FOR A MINI OF 60 DAYS.
- THE CONTRACTOR SHALL PROVIDE OWNER/DEVELOPER OR H.O.A. WITH ALL SERVICE MANUALS, CATALO ETC. FOR EQUIPMENT PROVIDED AND INSTALLED.

SUPPLIER:

SLEEVING AND SERVICE PROVISIONS SHALL BE COORDINATED WITH ALL OTHER APPROPRIATE CONTRACTOR

SYMBOL	ITEM	MANUFACTURER/SUPPLIER	COLOR	FINISH	COMMENTS
FLATWORK					
09	NATURAL GRAY CONCRETE PAVING with SAW CUTS PER PLAN	N/A	NATURAL GRAY	'ACID ETCH' (SEE COMMENTS)	APPLY TOPCAST WASH RETARDER (03 ACID ETCH FINISH) AVAILABLE THRU GRACE CONST. PRODUCTS OR EQUIAL 877-423-64 WITH MATTE IMPREGNATING SEALER. CONTRACTOR TO PROVIDE CUT SHEET TO LA FOR APPROVAL
<u>0</u> 00	FIELD: COMBO-STONE 5 PIECE 60mm at PEDESTRIAN 5 PIECE 80mm at VEHICULAR BANDING: 6* x 12* PAVER BANDING	ACKERSTONE CONTACT: MIKE MILLARD 949:241.6669	COLORS (FIELD): TALEGA BLEND - FACE MIX PAVER BANDING: COLOR: MOCHA	NO CHAMFER LIGHT SHOT BLAST NO CHAMFER LIGHT SHOT BLAST	PATTERN: RANDOM ASHLAR for FIELD FLAT TOPING CHAMFER INSTALL CLASS RANDA BASE SAND SET SEAL WITH SURBOND SB 1100 OR EQUAL JOINT SAND-LOGICAL RESOURCE POLYMERIC OR EQUAL
69	ADA PARKING STALL PAVER KIT 48° x 48° x 80mm	ACKERSTONE CONTACT: MIKE MILLARD 949:241.6669	SEE DETAIL 'C', SHEET LC.3	NO CHAMFER LIGHT SHOT BLAST	PATTERN: SEE DETAIL'C, SHEET LC.3 ELAT TOPNOC CHAPFER INSTALL CLASS ROAD BASE SAND SET SEA, WITH SURBOND SB 1300 OR EQUAL JOINT SAND-LOGICAL RESOURCE POLYMERIC OR EQUAL
0	4"x 4"x 80mm COMBO STONE STANDARD STALL STRIPING BAND	ACKERSTONE CONTACT: MIKE MILLARD 949:241.6669	SIZE: 4" x 4" (COMBO STONE) THICKNESS: 80mm COLOR: MOCHA	NO CHAMFER LIGHT SHOT BLAST	PATTERN: SEE DETAIL'C, SHEET LC 3 FLAT TOPINO CHAMPER INSTAL LCASS ROAD BASE SAND SET SEA, WITH SURBOND IS 1900 OR EQUAL JOINT SAND-LOGICAL RESOURCE FOLTMERIC OR EQUAL
SITE FURNISH	HINGS			•	
•	METAL TREE GRATE KEVA 5'x 5'	URBAN ACCESSORIES 877.487.0488 AVAILABLE THRU: RECREATION REPUBLIC CONTACT: SUZANNE ANDERSON 760.846.1980	CAST IRON	RAW CAST IRON	

	Issued	For:					
	3.26	12	Is	CITY SUBMITTAL			
	5.29.12 12.10.12		PLANNING COMMISSION PLANNING COMMISSION				
	1.16.	13	PL	ANNING COMMISSION			
		6.04. 8.01.		AGENCY REVISION AGENCY REVISION #			



PROJECT:

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

V.B.A.S. PROPERTIES Inc.

> 18582 BEACH BOULEVARD HUNTINGTON BEACH,CA 92648

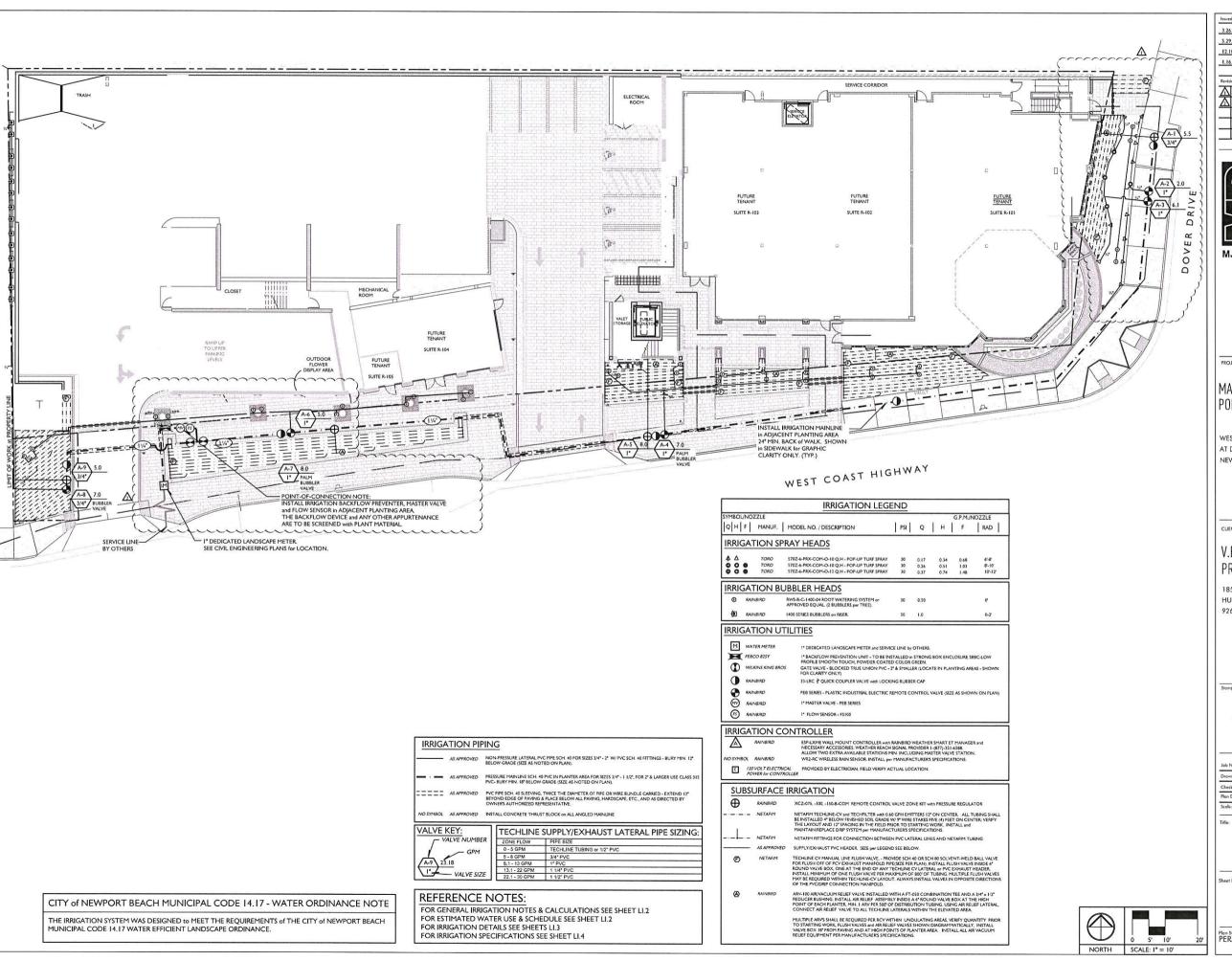


Drawn By: MJS

Checked By: MS Plan Date: JANUARY 16, 2013

CONSTRUCTION NOTES and FINISH SCHEDULE

PERMIT/CONSTRUCTION **DOCUMENTS**



3.26.12 Ist CITY SUBMITTAL 5.29.12 PLANNING COMMISSION 12.10.12 PLANNING COMMISSION 1.16.13 PLANNING COMMISSION 6.04.12 AGENCY REVISION

8.01.12 AGENCY REVISION #2



MJSDesign Group... Landscape Architecture

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

CUENT:

V.B.A.S. PROPERTIES Inc.

18582 BEACH BOULEVARD HUNTINGTON BEACH,CA 92648

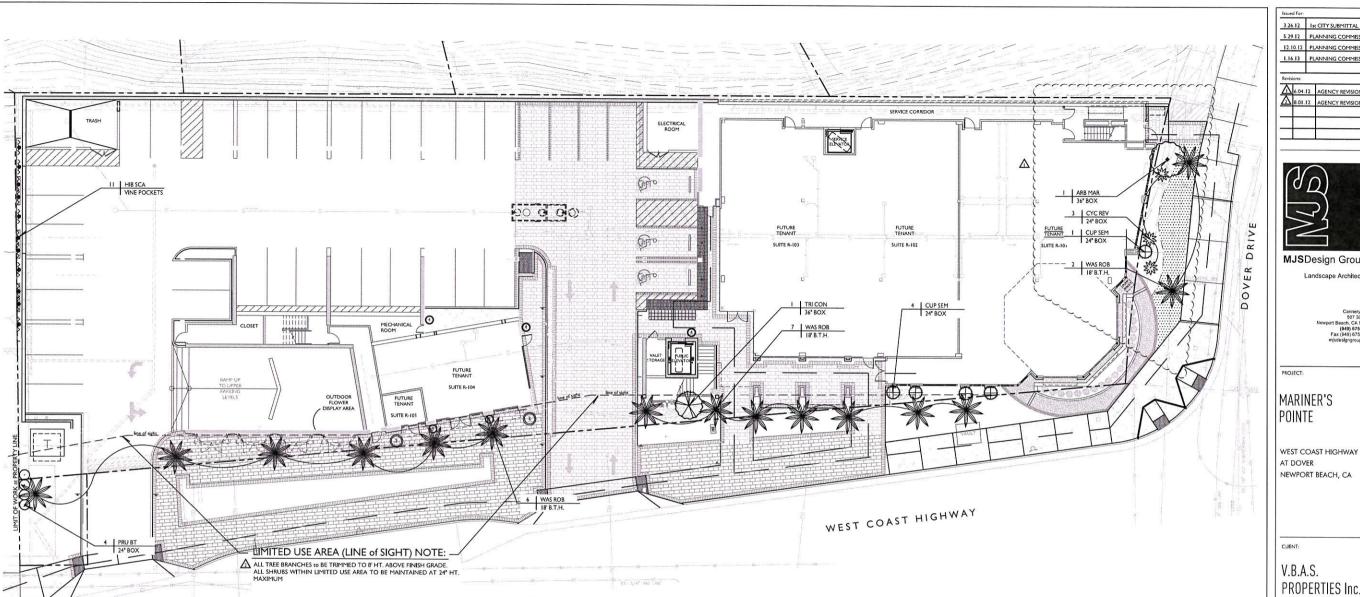


Drawn By: MJS Plan Date: JANUARY 16, 2013

Scole: 1* = 10'

LANDSCAPE **IRRIGATION** PLAN

Plen Status: PERMIT/CONSTRUCTION DOCUMENTS





CONTRACTOR TO NOTE THAT THE QUANTITIES ON LEGEND AND PLANT CALLOUTS HAVE BEEN PROVIDED FOR QUICK REFERENCE ONLY. IT IS RECOMMENDED THAT THE CONTRACTOR OF THESE QUANTITIES AND PROVIDED THAT THE CONTRACTOR OF THE SECOND THE CONTRACTOR OF THE CONTRA

TREE ROOT BARRIER NOTE:

TREE PLACEMENT NOTE:

CONTRACTOR TO LOCATE ALL DRAINLINES IN FIELD PRIOR TO THE INSTALLATION OF TREES AND PAUMS. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICT WITH TREE LOCATIONS WITH STORM PARAN LINES.

TREE STAKING NOTE:

POT and PLANT SCHEDULE

1

2

3

0

QTY DESCRIPTION

PLANTER IRRIGATION NOTE:

SEE SHEET LP.3 PLANTING and POTTERY SCHEDULE at UPPER LEVEL PARKING

* ALL POTS TO RECEIVE SELF WATERING SYSTEM. CWI CLASSIC BY PLANTER TECHNOLOGY (AVAIL. THRU. TOURNESOL) OR EQUAL. SEE SELF-IRRIGATION SYSTEM DETAILS SHEET LP.3)

GREENFIELD ROUND
20":45"
CHARCOAL GRAY
MATTE SEALER
CHARCOAL GRAY

AVAILABLE FROM

PLANT MATERIAL (PER POT)

- 36' BOX OLEA 'SWAN HILL' - FRUITLESS OLIVE - 1 GAL ROSMARINUS 'HUNTINGTON CARPET' - 4' POTS PELARGONIUM X DOMESTICUM 'BRIGHT RED'

- 20 GAL. RHAPHIS EXCELSA - LADY FINGER PALM 6 - 6" POTS HANGING COMMON IVY

LL TRISTANIA CONFERTA AND ITALIAN CYPRESS TO BE STAKED WITH (2) 20' LONG ALVANIZED METAL POLES NON-THREADED. PAINTED BASALT GREEN.

LIMITED USE AREA (LINE of SIGHT) NOTE: ALL TREE BRANCHES to BE TRIMMED TO 8"HT. ABOVE FINISH GRADE. ALL SHRUBS WITHIN LIMITED USE AREA TO BE MAINTAINED AT 24" HT. MAXIMUM.

AGRONOMIC SOILS REPORT NOTE:

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING TWO (2) AGRONOMIC SOIL TESTS AND INSTALL PLANT MERIAL PER REPORT AND SOIL RECOMMENDATIONS. LOCATIONS OF TESTS TO BE WEST COAST HIGHWAY AND DOVER DRIVE.

STREET TREE REQUIREMENT

WEST COAST HIGHWAY EBONITACE

MIN. PALMS REQUIRED: 1-24" BOX per 30 L.F.:

11 PALMS REQUIRED 13 PALMS PROVIDED

GENERAL PLANTING NOTES:

- PRIOR TO ANY FINE GRADING OR PLANTING, CONTRACTOR SHALL OBTAIN TWO (2) AGRONOMIC SOIL REPORTS AND SOIL AMENDMENT RECOMMENDATIONS PER SPECIFICATIONS, WHICH SHALL SUPERSEDE THOSE WITHIN THE SPECIFICATIONS.
- LANDSCAPE ARCHITECT TO APPROVE ALL PLANT MATERIAL NOT LESS THAN I WEEK PRIOR TO ANTICIPATED DELIVERY DATE.
- CONTRACTOR SHALL REMOVE ALL GROWER STAKES, TAGS AND RIBBONS.
- LANDSCAPE CONTRACTOR SHALL MAINTAIN PROPER DRAINAGE AND DIRECT ALL WATER TO DRAINAGE INLETS SO AS TO PREVENT STANDING WATER.
- THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTED AREAS FOR A PERIOD ODAYS AFTER "START OF MAINTENANCE" PERIOD.
- CONTRACTOR SHALL GUARANTEE SHRUBS FOR 6 MONTHS AND TREE MATERIAL FOR 12 MONTHS (I YEAR).
- LANDSCAPE ARCHITECT SHALL APPROVE PLANT MATERIAL PLACEMENT PRIOR TO INSTALLATION.
- NO TREES:PALM SHALL BE PLANTED CLOSER THAN 5' TO A BUILDING OR ROOF STRUCTUR NO TREES SHALL BE PLANTED CLOSER THAN 5' TO PAVING OR FREESTANDING WALLS UNLESS DIRECTED BY THE LANDSCAPE ARCHITECT.
- TREES SHALL NOT BE PLANTED WHERE FUTURE GROWTH WILL OBVIOUSLY CONFLICT WITH ROOF OVERHANGS.
- TREES PLANTED IN LANDSCAPE AREAS OF LESS THAN 5' IN WIDTH SHALL BE INSTALLED WITH APPROVED ROOT BARRIERS.
- ANY PLANTING SHOWN ON THE PLANS OR EXISTING IN THE FIELD THAT CONTRADICTS
 THESE CRITERIA BY TO BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT
 FOR RESOLUTION. FAILURE TO DO SO MAY RESULT IN THE CONTRACTOR TO REMOVE OR
 RELOCATE PLANT MATERIAL.

REFERENCE NOTES:

FOR PLANTING DETAILS SEE SHEET LP.4 FOR PLANTING SPECIFICATIONS SEE SHEET LP.5

LANDSCAPE MAINTENANCE NOTE:

ALL LANDSCAPING TO BE MAINTAINED BY PROPERTY OWNER INCLUDING ALL PLANTS INSIDE THE RIGHT-OF-WAY.

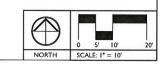
TREE, PALM and VINE LEGEND:

SYMBOL	NAME	SIZE	COMMENTS	QTY
TREES:	NOTE: TREES IN RESTRICTED USE AREA TO	BE TRIMME	D 8' ABOVE GROUND	
ARB MAR	ARBUTUS 'MARINA' ARBUTUS	36" BOX	STANDARD	1
CUP SEM	CUPRESSUS SEMPERVIRENS ITALIAN CYPRESS	24" BOX	SEE NOTE BELOW FOR STAKING	6
PRU BT	PRUNUS C. 'BRIGHT & TIGHT' CAROLINA CHERRY	24° BOX	COLUMN	4
TRI CON	TRISTANIA CONFERTA BRISBANE BOX	36" BOX	LOW BRANCH	3
PALMS:				
WAS ROB	WASHINGTONIA 'HYBRID' ROBUSTA x FILIFERA FAN PALM	18' B.T.H.	MATCH HEIGHTS SKINNED TRUNKS	15
CYC REV	CYCAS REVOLUTA SAGO PALM	24' BOX	MULTI	3
VINES:		4	بمبميميه	٠
0	BOUGAINVILLEA 'SAN DIEGO RED' BOUGAINVILLEA	15 GAL	STAKED ATTACH TO PALMS IN TREE WELLS	2
^*^	HIBBERTIA SCANDENS GUINEA GOLD VINE	15 GAL	STAKED and ATTACH to GREEN SCREEN at WEST WALL	2

GUINEA GOLD VINE

MARATHON IIIe SODDED TURF AVAILABLE FROM SOUTHLAND SOD FARM OR EQUAL AS APPROVED BY THE LANDSCAPE ARCHITECT.

ALL
SHRUB
AVAILABLE THROUGH AGUINAGA FERTILIZER COMPANY (949) 786-9558
AREAS
or APPROVED EQUAL - SUBMIT SAMPLES to LA. for APPROVAL



5.29.12 F		PL	ANNING COMMISSION		
12.10.12 F		PI	ANNING COMMISSION		
1.1	1.16.13		PLANNING COMMISSION		
Revi	6.04.	12	AGENCY REVISION		
Λ	8.01.		AGENCY REVISION #2		



MJSDesign Group⊷

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

CUENT:

V.B.A.S. PROPERTIES Inc.

18582 BEACH BOULEVARD HUNTINGTON BEACH, CA 92648

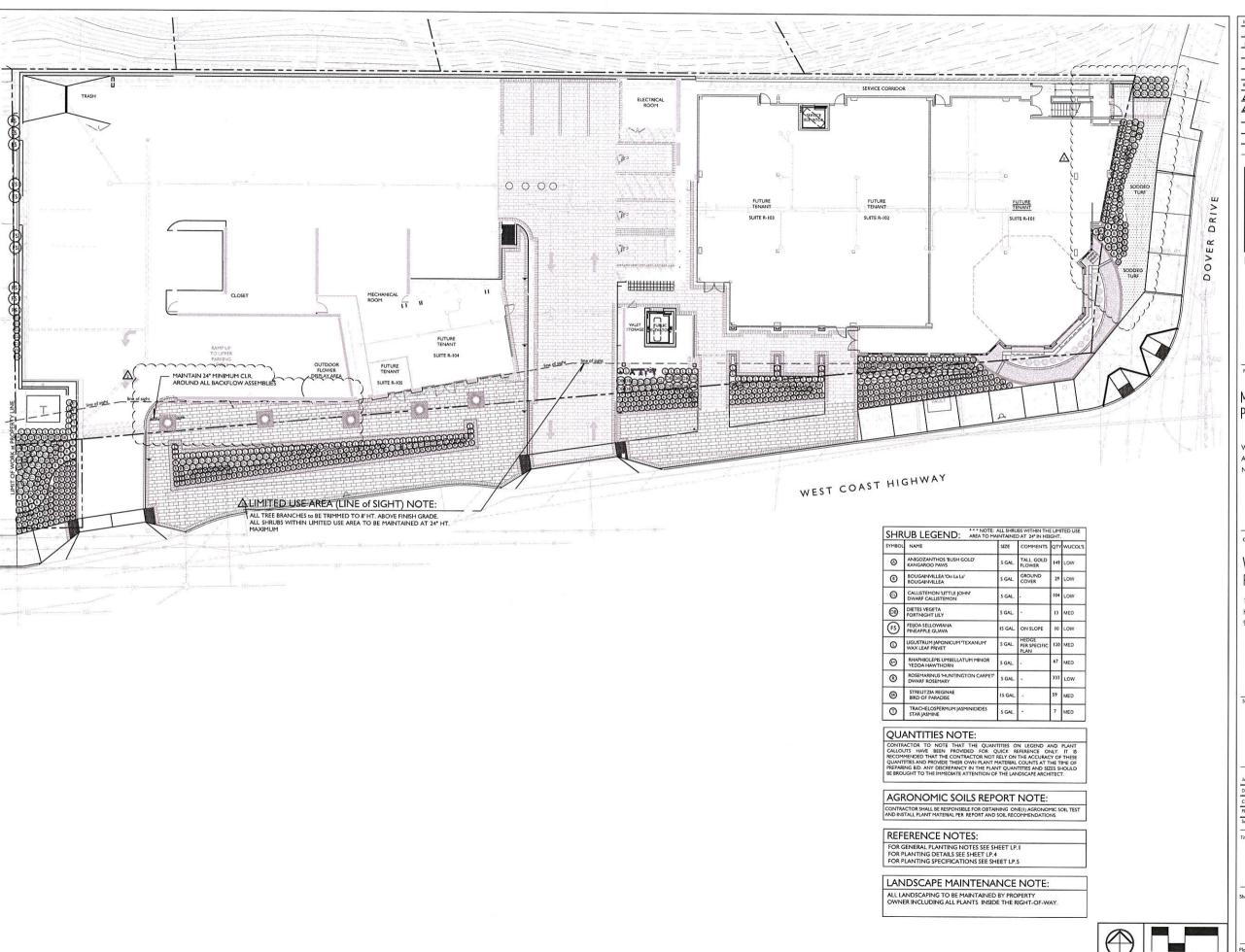


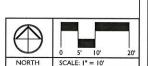
Drawn By: MJS Checked By: MS Plan Date: IANUARY 16, 2013 icale: | 1" = 10"

TREE, PALM, VINE & TURF **PLAN**

LP.1

Plan Status: PERMIT/CONSTRUCTION **DOCUMENTS**





1	3.26.12	Ist CITY SUBMITTAL
	5.29.12	PLANNING COMMISSION
	12.10.12	PLANNING COMMISSION
	1.16.13	PLANNING COMMISSION

Λ	6.04.12	AGENCY REVISION			
⅓	8.01.12	AGENCY REVISION #2			



MJSDesign Group. Landscape Architecture

PROJECT:

MARINER'S POINTE

WEST COAST HIGHWAY AT DOVER NEWPORT BEACH, CA

CUENT:

V.B.A.S. PROPERTIES Inc.

18582 BEACH BOULEVARD HUNTINGTON BEACH,CA



Drawn By: MJS Checked By: MS Plon Date: JANUARY 16, 2013 Scale: 1* = 10*

> SHRUB **PLANTING PLAN**

LP.2

PERMIT/CONSTRUCTION DOCUMENTS

ADDITIONAL MATERIALS RECEIVED

Mariner's Pointe Substantial Conformance Review



Planning Commission Public Hearing February 7, 2013 STAFF PRESENTATION (PA2010-114)





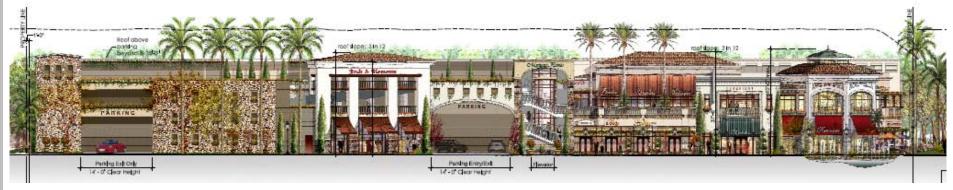
Approved Project City Council August 9, 2011



- Two-story 19,905 sf commercial building and three-level structure
- 9,557 sf restaurants, 8,651 sf retail & 1,697 sf medical

Approved Conceptual Plan City Council August 9, 2011





Conditions of Approval



- Condition No. 4- PC review of final building elevations and roof plan to ensure that high level of architectural detail and treatments illustrated on conceptual plan are implemented
- Condition No. 20- PC review of final landscape and irrigation plan to ensure landscape improvements illustrated on conceptual plan are implemented
- Any substantial changes shall require PC approval

Final Architectural Plans Planning Commission June 7, 2012



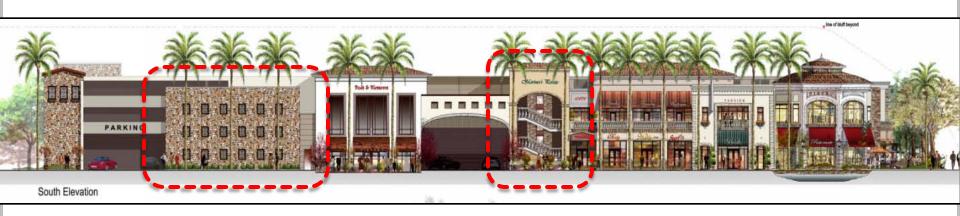


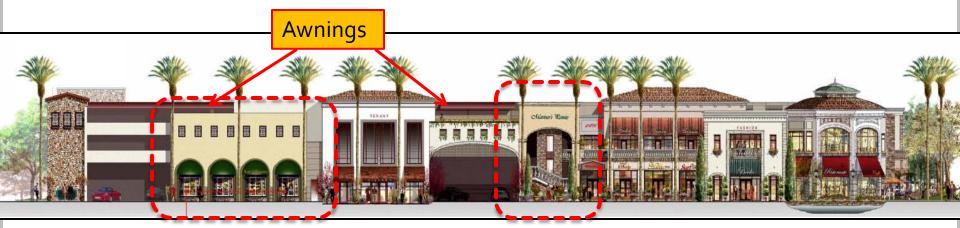
Proposed Revisions Architectural Plans





Comparison





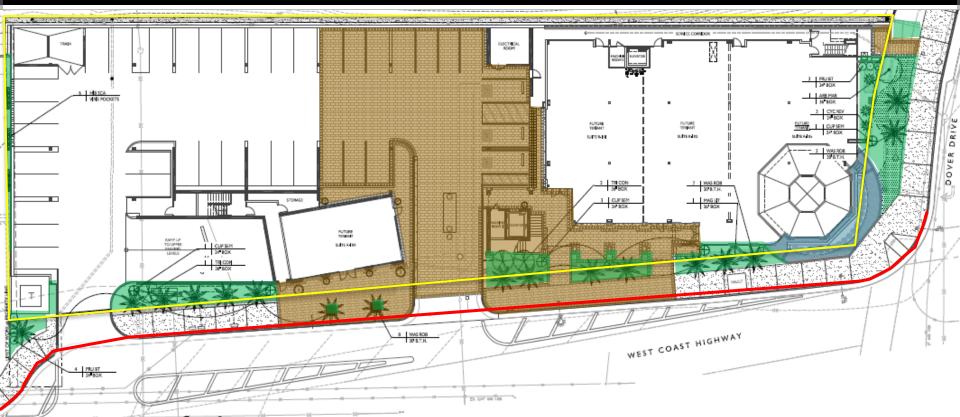
Enlarged View



Flower Display Cases



Approved Final Landscape Plan



- 2,460 sf planter area
- 17 palm trees (15 on WCH frontage)

Proposed Landscape Revisions



- 3,035 sf planter area
- 15 palm trees (13 on WCH frontage)
- 1,312 sf in WCH R.O.W., subject to widening



For more information contact:

Jaime Murillo 949-644-3209 jmurillo@newportbeachca.gov www.newportbeachca.gov

Page 2 of 4

Item No. 2: Mariner's Pointe (PA2010-114)

Although page 4 of the staff report nicely illustrates the proposed façade changes, it would have seemed equally helpful to have included an exhibit highlighting how the newly proposed **landscaping** differs from that previously approved, and how both overlay the existing and/or proposed public rights-of-way. Perhaps that will be provided in the live report?

As it is, I am unable to fully understand most of the statements about what Caltrans wants and how the proposed landscaping changes accommodate their concerns. I also recall (as is confirmed by Condition 78 of the Council Resolution reproduced on handwritten page 61), that fairly extensive changes to the striping of the roadway in front of the site were expected to be made, and it is unclear to me what kind of striping is now being proposed.

In addition, the staff report suggests that (apparently to make room for the newly proposed display boxes) the new landscaping will encroach more into the rights-of-way than the previous plan, and that will leave much of the landscaping vulnerable to being lost if PCH were to be widened. Given the high volume of traffic on PCH, encroaching into the rights-of-way sounds like a very bad idea, but it remains unclear to me whether other developments in the area have been allowed similar encroachments, and how the street widening is proposed to be accomplished. However those problems are planned to be handled, it would seem any new development, such as this, should be considered with the possibility of street widening in mind.

Finally, page 7 of the staff report, in discussing the possible use of the "display cases" in the screening wall for advertising rather than flowers, refers to a future, and yet-to-be determined, comprehensive sign program that may regulate their use for such purposes. I am surprised a sign program consistent with the Commission's vision for the site was not part of the previous approvals; and also wondering if this aspect of the design change might be primarily a work around to provide the applicant a place for cheap signage that could not have been logically affixed to the previously proposed stone veneer wall. I would suggest prohibiting in-window signage intended to be read from the highway.

With regard to the Draft Resolution of Approval starting on handwritten page 11, the following comments and suggested changes are offered:

Section 1.1: "... a 0.76-acre site located at 100-300 West Coast Highway ..."

ISection 1.2: "... to ensure the a high level of ..."

Section 1.4: "1) changing the stone veneer exterior of a wall with and adding awnings and commercial display boxes; 2) reducing the height of a stair/elevator tower; and 3) changing landscaping between the building and West Coast Highway." (and if I understand the proposal correctly, "eliminating the stone veneer" would seem more accurate than "changing the stone veneer.")

Section 1.5: "...at this meeting.; and"

Page 3 of 4

Section 2: the CEQA finding would seem to be correct only if no significant changes to the use of the highway are being proposed. It is unclear to me exactly what those changes may be.

Section 3.1.A: "The replacement of the stone veneer on the screen wall located in front of the parking structure ramps on the South Elevation of the project will provide an expanded storefront and stronger retail presence." As I understand the proposal, the stone veneer is to be replaced with a plain wall, and this is to create a fake storefront rather than an actual "expanded storefront." In general I think the change from what looked like a prison wall to a fake storefront is a positive one, but I fail to see why the wall of the fake storefront could not have a stone veneer, or how its elimination is consistent with the promised high level architectural detail.

Section 3.1.E: "...the total number of palms trees has been reduced from 17 to 13 trees." It might have helped to indicate, perhaps in the staff report, exactly which 4 palms are being eliminated, and why. And it is unclear from the remainder of this statement if the landscaping proposal being presented to the Planning Commission is actually going to happen. It seems contingent on future negotiations with Caltrans, the outcome of which is uncertain.

Section 3.1.F: "...providing a hedge and palm tree feature that serves as a unifying design feature that ties the Mariner's Mile corridor together." For unknown reasons, in the early days of the Coastal Act the northwest corner of the PCH/Dover Drive intersection was (and I think inappropriately) removed from the Coastal Zone. However, the bulk of the Mariner's Mile corridor is in the Coastal Zone, and as characteristic as palms may seem in California coastal cities, the Coastal Commission has recently shown a decided displeasure with any use of non-native plants for landscaping (for example, allowing retention of existing palm trees at Marina Park, but not allowing their replacement should they die). As a result, the proposed palm and hedge landscaping may in the future be seen more as an anachronistic aberration than as "a unifying design feature."